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International Court of Justice

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4, OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH ~~149~~ 1946.

19 June 1946

COMMISSIONER:

Capt. Joseph Tubridy

D. K. W.

FIELD MARSHAL VON RUNDSTEDT, a witness, took the stand and testified as follows:

DIRECT EXAMINATION -- Resumed

CAPT. TUBRIDY: You are reminded that you are still under oath.

WITNESS: Yes.

BY DR. LATERNSER:

Q When and how did you learn of the intention to occupy the Rhineland?

A I heard of the occupation of the Rhineland over the radio after it had already taken place.

Q Were you, at that time, Commander in Chief in Berlin?

A Yes.

Q And you were present in Berlin at that time?

A Yes.

Q Do you know what the attitude or opinion was of the Commander in Chief of the Army and the Minister of War at that time concerning the occupation of the Rhineland?

A I heard later of a conference that took place in February, 1938, in the

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presence of Hitler concerning the von Fritsch affair. That was the time when Hitler stated in very indignant and no uncertain terms that the Minister of War and the Commander in Chief of the Army had, at that time, opposed the occupation of the Rhineland and had moreover demanded that the troops be withdrawn across the Rhine because of the threatening attitude France Fritsch was beginning to take. On the very same occasion Hitler was also indignant over the fact that the Commander in Chief of the Army had opposed the increase of the Wehrmacht to 36 divisions, and that they had only been increased to this number because Hitler himself had pressed the point and insisted upon the increase.

Q During your personal interview with Hitler, did you also speak of the [redacted] succession to the Commander in Chief of the Army's position in case it should be vacated?

A Yes. Hitler suggested [redacted] several different generals as possible successors of Fritsch. The first name he mentioned was General von Reichenau. I answered that General von Reichenau was not fit to be the Commander in Chief of the Army for reasons which Hitler probably knew himself. I was then asked for an opinion on Brauchitsch and I answered that Brauchitsch was a very efficient officer and well liked and esteemed by the Army.

Q For what reason were [redacted] the higher officers in the German Army opposed to Von Reichenau's appointment at that time?

A We older officers considered Reichenau too much of a Nazi General. He is dead and it is embarrassing for me to have to say this but I am under oath.

Q I should now like to ask some questions as to whether the higher Nazi leaders had any political influence that led to the annexation of the territories. Just one preliminary question.

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Was the German nation prepared for war in the year 1938 to 1939?

A The German Army, especially so far as the infantry was concerned, could ~~xxxxxxx~~ in no way be compared to the Army of the year 1914. Rearmament had taken place at far too great a speed and contrary to the advice of the higher leadership group. One should never forget that we had no trained reserves at all to bring the Army up to this number. In my own personal opinion, we also did not have sufficient numbers of cavalry troops, and the cavalry was absolutely necessary in case of a war in the East.

Q What about heavy arms?

A There was a sufficient number of heavy arms but training with tanks, for example, takes a very long time and until the outbreak of the war, the troops ~~xx~~ did~~xx~~ not learn how to operate them correctly.

Q As you have~~xx~~ probably learned in the meantime, a conference took place on the 5th of ~~xxxx~~ November, 1937, between ~~xxxx~~ Hitler and the Chiefs of the different Wehrmacht armies ~~x~~ in which Hitler exposed his future plans to his commanders in chief. What position did you hold in November, 1937, and where were you stationed?

A I was still Commander in Chief of the Army group Berlin.

Q Were you informed at that time of the results of this meeting by the Commander in Chief of the Army?

A No, although I had very close personal relationships with General Fritsch, he ~~I~~ never once mentioned this meeting to me.

Q Did you, after this time -- that is, after November 1937 and later on-- receive any orders that deviated from those orders that you had received previously and that aroused ~~xxxxxx~~ your attention?

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A No, only that General von Fritsch said ~~that~~ in regard to the speed with which rearmament was taking place "We higher commanders should concern ourselves personally with the training of the smaller Army groups." This really was not our concern but the concern of the lower commanders. Then General von Fritsch tried everything within his means to alleviate this speeding up which had been ordered by Hitler.

Q Witness, did this order that you were to concern yourself with the smaller units arouse your particular attention? Did you think anything of it or did you trouble yourself about it very much?

A No, it only confirmed my own opinion that even the higher officers had to concern themselves with the training of even the smallest units and groups. We did not, because of this order, think of any war possibilities.

Q Did the high military commanders have any chance to express ~~their~~ their opinions concerning political decisions in which the Wehrmacht was to have a part?

A So far as the Commander in Chief and the Minister of War were concerned, I cannot say. We, however, were never consulted.

Q It is known that before any military ~~campaign~~ campaign, Hitler had the high military commanders appear before him and informed them of his intentions. My question is, did any possibility exist during these conferences to have any influence on Hitler's decisions to mitigate, moderate or to change them?

A No. These meetings were not really conferences, but a so-called issuing of orders, if I may use this term. It was not at all possible for us to make any grave objections. We were only able to give suggestions in similar matters where tactics, for example, were concerned, if we were of the opinion that what was being done was to be considered military nonsense.

Q Was there any institution within the Wehrmacht which might be termed a ~~council~~ Council of war?

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A No, and there never was any such institution in the history of the Army since the year 1700. This would undermine any discipline at all.

Q The prosecution has submitted an affidavit, No. 5, USA Exhib it No. 537, given by General Blaskowitz. I should like to refer to the letter half of this affidavit. I shall read the last paragraph:

"During the Polish campaign, especially during the fighting around Kutno, I was repeatedly in contact with the Commander in Chief of the Army, and he, as well as the Fuehrer, visited my headquarters."

I omit one sentence and quote the last sentende?

"Indeed, these military front commanders became Counsellors with the O.K.H. within their sphere so that the offices that are mentioned in the enclosed sketch comprise that group that was the actual consulting or advisory circle of the German Wehrmacht."

I should now like to ask you, did any such advisory circle or council exist as maintained by General von Blaskowitz in this affidavit?

A If the conclusion drawn from this affidavit is supposed to be that such an advisory circle existed, it is completely wrong and out of place. It is of course natural that the Commander in Chief of the Army, who has relations with the different Army groups and different areas, should visit these groups before any momentous or important military decisions or steps are made in order to get their opinion. This would be comparable to my visiting the Commanding General of an Army or Army group and asking him, before I intend to make an attack, for his opinion. This is not an advisory position but only the asking of advice from ones subordinates. In my opinion, this is all that Blaskowitz could have meant by this statement.

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And another thing, the orders for the Kutno battle were issued by me and not by Hitler. At that time he would not have dared to interfere with us. Is that sufficient?

Q Yes, that is.

A I should like to emphasize that I do not want to accuse von Blaskowitz of having given false testimony. I only want to clarify what he meant.

Q If I understood you correctly, then these so-called consultations were only advisory meetings concerning the execution of a military measure?

A Yes, and one might compare this to a businessman who advises or consults with his employees or his advisors before making any big business deals.

Q When and how did you learn of the intention to invade Austria?

A I learned of the Austrian invasion only after it had been accomplished.

Q An intermediary question. Were you also in Berlin at that time?

A I just want to explain this. At this time, it must have been around the 10th of March, I was on an official inspection tour of recruiting camps either at Pommerania or Mechelnburg, I don't remember exactly, and while on this tour of inspection I was advised by telegram to proceed to Breslau in order to hold a memorial speech as the representative of Von Brauchitsch on the 12th anniversary of the founding of the Ivory Cross because Von Brauchitsch had to be employed at a different place. It was at Breslau that I heard of the invasion of Austria which had taken place on the previous day. If I had been in Berlin I probably would have been informed just as late as I was of the intention to invade Austria.

Q Had you learned of any plans to invade Austria before this time?

A No.

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Q Do you know what position the Commander in Chief of the Army and the Chief of the General Staff held when Hitler announced his intention, in May 1938, to solve the Sudeten question?

A Yes. A conference took place in General von Brauchitsch's office in Berlin. On this occasion the Chief of the General Staff who was Beck at that time read a memorandum which contained a warning not to take this step for such a small part of the Sudeten territory and risk a war by reason of our very ppor military and armed preparations.

Special reference was made to the very strong armed potentialities of the United States, and of which it was said that this potentiality could also become effective against us without America actually entering into the war. A warning was expressed against a war which seemed hopeless. Brauchitsch then said to us,

"If anyone of you gentlemen is of a different opinion, I wish you would e xpress it and tell me so because I should like to once more warn Hitler of this step."

All of us were unanimously of the same opinion. Thereupon, this memorandum was later referred to Hitler and the result of this step was that Brauchitsch (Beck) was thrown out of office.

Q What was the circle to which this memorandum was read at that time?

A So far as I remember, in the presence of the majority of the commanding generals. I don't know exactly, however.

Q And the commanding generals who were present were of the same opinion as that expressed in the memorandum?

A Yes, even General Von Reichenau, a fact which surprised me. General Von Neb was also present, and he is also here in prison.

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Q Did the higher military leaders count on Hitler's declaration after the Munich Agreement that he had no further aspirations to any other territory or did they think that he would try to get the rest of Czechoslovakia?

A We believed that at last this nightmare had been taken from the German people and its military leaders. I can add the following from my own memory.

When my Army entered the freed Sudetenland, Hitler was present one day and told me, "I feel as free and carefree as I have never felt before. As I have rarely felt." From this statement, I also drew the conclusion that the affair was settled.

Q When did you first learn of any concrete intentions of Hitler to solve the Corridor question?

A I remember that once in former years, I do not remember which year it was, Hitler once stated in connection with the Corridor question. "The Corridor question is a matter of money so that it is not worth any war." Of the possibility that this Corridor question might lead to an armed conflict with Poland I learned for the first time in May, 1939. I was no longer in office at that time but I was ordered to come to Berlin because in case of a conflict I was to take command of an army group and the orders connected with such a command were issued in Berlin. But, I was told at that time that that was only in case a war became necessary.

Q I should like to refer again to affidavit No. 5 of General von Blaskowitz, USA Exhibit No. 537. I quote the following:

"Since 1919 and especially since 1924, three essential territorial questions took on Germany's attention. These questions concerned the Polish Corridor, the Saar and Ruhr districts, and the Memel district."

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In paragraph two, Blaskowitz goes on to say:

"As long as the entire staff of German front officers believes that these three questions, the question concerning the Polish Corridor is especially important, then it will one day have to be solved by armed steps if necessary. About 90% of the German people share this opinion with the officers concerning the Polish question."

I want to ask you now, whether this statement by General von Blaskowitz is right, that is, whether the opinion was expressed by the officers of the German Officers Staff that the Polish question would have to be solved, if necessary, by armed force?

A I cannot give information as to this fact. As I said before, the belief was always expressed that the Corridor question could be solved peacefully by a monetary settlement for example, but not by armed force. But of course, the fact that one day the Corridor would have to disappear was also expressed. It may, of course, be thought that General von Blaskowitz, who was the Commander in Chief of Moravia and who had the Corridor, so to speak, at his very front door, had a more severe opinion concerning this question than we did who were in other parts of the Reich.

Q Do you know anything about the fact that in the year 1938 fortification work was being carried out along the German Eastern front?

A Yes, for I myself was responsible for the German Frontier Sector from the Baltic Sea down to the Danube, and if a Polish attack had to be counted on at any time, especially against Pommerania and Frankfurt on the Oder, which is not very far from Berlin and also to Upper Silesia, it was advisable to put up preventive fortifications.

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As Commander-in-Chief, I thought more and more of defensive measures. There was a small group of fortifications in the center of East Prussia, the so-called Heilsberger Triangle, in case Poland and Lithuania wanted to occupy the province of East Prussia.

Q Who ordered the building of these frontier fortifications?

A Our higher superior military offices.

Q What impression did this order make on the highest military leaders?

A The measure was absolutely sensible and necessary. As I testified yesterday, we were prepared and expected anything on the part of the Poles, and these fortifications made the possibility of defense essential and gave us also the possibility of saving certain troops for sort of a counter attack.

If, for example, the Poles advanced in the district of Frankfurt on the Oder and threatened Berlin, then an attack that was led from Berghof on the flank of the Poles might be successful under the protection of these fortifications.

Q Do you know if before May 1939 -- you just mentioned that a military plan existed for an attack on Poland?

A No, I do not know anything of this and I assume that this was the first plan.

Q I shall now turn to Hitler's address delivered at Berghof on the 22nd of August, 1939. Did you, at that time, by reason of this conference, have the impression that now war with Poland was unavoidable?

A No, I should almost like to say on the contrary. During this conference on the Berghof, Foreign Minister Von Ribbentrop announced that he would be absent in order to fly to Moscow to meet Molotov there. This treaty made us, the old soldiers, very happy and satisfied us very much. Good relations with Russia was considered very important within the Reich's sphere.

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Official delegations of officers from Russia and from Germany visited one another. This pact with Russia meant a very big threat to Poland and we now believed that Poland would not dare to wage war. We left the Berghof feeling that now the war that was going to take place was going to be a flower war, and the same as it had been in 1938 in the Sudetenland. We were strengthened in our opinion that war would be avoided by the fact that on the eve of the troop concentration, all movements were suddenly stopped. Such steps also took place before the invasion of the Sudetenland, and therefore we thought a new peace action was afoot. Mussolini's name was mentioned in this connection.

Q After you left the Berghof on 22 August 1939, did you speak with any of the other Commanders in Chief after the conference as to the impression it left on them?

A Not so far as I remember. I left the Berghof together with my Chief of Staff and drove with him by car to my headquarters in Neisse.

Q When did you learn of the intention to occupy Norway?

A The fact that the occupation had been carried out was the first official information we received through official channels. In this connection I should like to mention a Hitler order of the year 1939. This order stated that no officer and no office was to be informed of any military operation to any greater extent than absolutely necessary , and if informed at all, as little as possible. This order had to be posted on the wall of every office and every bureau. This led to the fact that before the French Campaign I myself did not know exactly what mission my right hand neighbor had been entrusted with.

Q What was your opinion concerning the attack of the Western powers and please mention also your opinion concerning the observations of neutrality of Belgium, Luxembourg and the Netherlands?

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A During the Polish campaign we were surprised that our very small troops were not attacked by the French in the West. Moreover, the opinion concerning the neutrality of Belgium and the Netherlands was very much doubted within the higher military circles. We were informed of this fact when my Army group was transferred to the West.

The so-called West Wall, the Siegfried Line, that protected Germany's borders stopped somewhere in the vicinity of Aix la Chapelle, and further to the North the approach for an attack on the Rhine and the Ruhr territory was practically open to the enemy. Higher authorities believed that if anyone intended to attack, they would not attack the fortification, but go by the round about route to the North. Therefore, first a sort of defensive troop concentration was planned up at the top and beyond the Rhine, and probably carried out. My Army group was stationed near Coblenz on either side of the Moselle.

Q What was the attitude of the Commander in Chief of the Army, Von Brauchitsch, concerning the Western offensive?

A I do not know exactly, but he probably shared the opinion that the others held, and that is, why wage an offensive war, why not wait until the others attack? You might perhaps ask him because he is at hand. I don't know about this.

Q Was this the most popular and widespread opinion within the circles of the higher military leaders?

A Within my Army group, that is the Army group to which I could testify, we were of the opinion that for God's sake, no offensive war during the winter.

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Q When did you learn of Hitler's decision to invade Yugoslavia and Greece?

A Only after the invasion had been accomplished and through the fact that our troops had been concentrated in Rumania and Bulgaria late in the spring of 1941. Of course, we also did not know what was intended here.

Q And of the invasion of Yugoslavia and Greece?

A Through the accomplished fact.

Q When did you learn for the first time of Hitler's intention to attack Russia?

A In the course of the winter of 1940 and 1941. A plan had been worked out by the Commander in Chief of the Army, as I later found out, from higher orders according to which a war with Russia would become inevitable, and that it was best to prepare for the possibility of a war after the question of Finland and the Baltic countries had been settled. Hitler's final decision to attack Russia was, I believe, told to us on the occasion of a Fuehrer conference in Berlin in March, 1941. The other preparations that I mentioned just now were also called preparatory and precautionary steps.

Q What do you mean by precuationary steps?

A I mean, suppositions and suggestions and plans on how things should be carried out if the necessity arose.

Q Do you mean that these preparations were being carried out for a case that might take place sometime in the future?

A Yes, that is what I wanted to say. If anyone counts on an attack either in the near future or at a more distant date, then he will make certain preparations and considerations and meditate on this, and these are the so-called precautionary measures that I spoke of. The matter of special methods1

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Q What did you think of an attack launched by Germany against the Soviet Union?

A I must say that all of us shared a certain fear concerning such an attack for we had all been very glad when the Treaty or Pact with Russia had been signed. I myself had spent four years in Russia during the first World War. I know the Russian well; I know how brave he is; I know his strength and I also know that terrain that is impossible for us to conquer is not impossible for the Russian. I should also like to add that the year 1812 was in all our mind's eye as a warning torch. No book has been read so much as the book by Colincour concerning the year 1812. And as I said before, the thought of a war with Russia was an uncanny and unpleasant one to us.

Q How did Hitler present the military situation to you and what did he tell you particularly as to the information he had received on Russian troop concentrations?

A He told us that along the entire Russian Front very great troop movements were taking place in the direction of the border, that numerous airports had been newly established and enormous numbers of tanks stood prepared. He maintained that he had received this information particularly via Japan and Japanese military attaches so that he saw a threat coming up on the horizon and he wanted to get ahead of this threat.

Q Then you mean to say that Hitler presented war with Russia to you as being an unavoidable, preventive war?

A An unavoidable war.

Q Did Hitler listen to you or to other military leaders on this question before he made his final decision of attacking Russia?

A He did not listen to me and probably also not to my comrades. I believe, on the contrary, that the Commander-in-Chief of the Army was given

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the instructions to work out such an order and was not questioned about it.

(A Recess was taken.)

Q Witness, you just stated that the Commanding Chiefs of the Army Groups went into the Russian Campaign reluctantly and with fears?

A Yes.

Q I would like to ask you what did you notice, when you entered the Soviet Union with the Armies, concerning the preparation of the Soviet Union for a war?

A The opposition on the Polish-Russian Frontier was not as hard, not as strong as anticipated. It showed that the Russians used the same kind of strategy that we used and that is a weak defensive front line but strong forces in the rear for a counter attack. We found out that that was right later on. The opposition, through counter attacks, especially by tanks or armored vehicles, was terrific. A great number of new airports were in the border area; a great number of armored troop training points were found in the border area; a number of new streets, perfectly good streets in very bad territory, which had not been marked on our cards, were found through air pictures. The Russian maps that we captured from time to time went far into Silesia. That is about the most important.

Q I would like to ask you now a few questions concerning one of the main points of the Prosecution which stated that the military leaders at the beginning of the war decided that they would fight this war on a new basis, against the past rules and rights of war.

A That is not the case. I can swear that with a holy oath. Just the opposite. Just before the beginning of the offensive we were told by Hitler at his field headquarters concerning Russian Commissars, an order which, to put it mildly, surprised us very much. Hitler stated that the war had to be fought hard and rough because the Russian too was rough and he would fight a rough and hard war. The Commissar is not a soldier and therefore was not to be treated as a soldier in case of capture.

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Q Was that the opinion that Hitler gave you?

A Those were his statements. We were very surprised at this but we supposed that Hitler, before he gave any orders concerning the International Rights, would get informed personally with these International Rights. After this discussion we spontaneously went up to Brauchitsch and told him that a thing like that was not allowed to happen. We told him that we would not do it nor would we allow our troops to do it. Whereupon Brauchitsch, who was of the same opinion, stated that he would do his best to have this order rescinded. We drove away and my Commander-in-Chief just said that "We just won't do it." I know that this opinion was carried through to the lowest groups. No case was ever reported to me where the troops ever carried out this order. Shortly after there was a very strong order from Brauchitsch ordering the troops to fight the war according to the International Rights. That was considered by us to be a quiet repudiation of the Fuehrer's order. Later on, I was not East any more at that time, I heard that this order was then rescinded in the East. I want to point out especially that the hard combat against the hard-fighting Russians was harder than that against the soft French but that it was carried out on a basis of International Rights and Rules.

Q I have a few further questions concerning your statements. This meeting at which Hitler presented the so-called Commissar Decree, about when did that take place?

A Either May or June 1941.

Q How did this discussion go on? What I want to know is this -- did Hitler as usual make his speech and then immediately leave the room, or did he remain and talk to the various Commanding Chiefs?

A If I remember correctly he disappeared like a flash and all of us went to Brauchitsch and told him that this just could not be done.

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Q Do you know of any especially energetic protests by the various commanders-in-chief against this order which had been given to you verbally?

A I heard that Field Marshal von Kluge, who at that time was in charge of an army, a very impulsive gentleman, made a most emphatic protest concerning this.

Q What were the contents of Brauchitsch's order which he issued later, as Commander-in-Chief of the Army, in order to play down the severity of the Commissar Order?

A As I stated before, this was an order to fight this war according to the International Rules and Regulations; that the discipline within every outfit of the Army concerning this fact had to be at the utmost; and that any violations of this order were to be disciplined severely. That was about the idea of his order.

Q What was your opinion concerning the treatment of the enemy during battle and in case he was captured.

A I do not want to answer this question since the answer is as it has to be, of course, if the person asked is a halfway decent officer and soldier. I want to state that in former years, when I was instructing recruits, we taught these recruits concerning the Orders of the Geneva Convention as far as they were concerned, that is, treatment of prisoners, respecting of the Red Cross, treatment of wounded prisoners, and so on and these Rules of the Geneva Convention were attached at the end of the instruction book of the Army.

Q What was your action towards the civilian population of the Occupied Territories and also the action of your troops?

A In the sector which I commanded in France there were good relations between the population and the Army. The same was the case in the East; while I was in the East the relations between population and Army were good, especially in the Ukraine. The Ukrainian seemed, I almost want to say, a warmhearted

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fellow who desired friendship and companionship, a fact which I know from the last war. I will mention a few single details later on.

Q Could you give a few examples?

CAPTAIN TUBRIDY: I think we can eliminate these details, Dr. Laternser.

Q If there was any kind of violation on the part of the troops concerning their conduct against civilians, did you enter into the matter of disciplining these men with all measures available to you?

A As an Army Group Commander I did not have the power to court martial. However, I know that in the various Armies any kind of violation of these actions against the civilian population were disciplined before army courts martial with the strongest severity. The slogan, "Who plunders will be shot" could be seen almost everywhere one went.

Q Do you know of any cases where German troops carried out reprisals against unorthodox activities - activities by the enemy which were not according to the International Rights and Rules?

A I cannot remember any such case.

Q Now I would like to ask you a few questions about the SD Einsatzgruppen. Do you know any detailed information concerning the roles, duties, and activities of these Einsatz Groups in the East?

A No. All this happened in the rear areas and was not under my command but more or less under the command of Staff Rosenberg.

DR. KEMPNER: May I interfere with one little remark? I would like to have a more literal translation because it is very important what the General Field Marshal said; there is one word I especially stress.

(The German court reporter read the witness's reply to the last question.)

DR. KEMPNER: I am am just asking for a more literal translation.

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INTERPRETER: (Changing interpretation of reply to the last question) No, all this happened in the rear areas and was not under my command. That was handed over to the Kinder Rosenberg later on.

BY DR. LATERNSER:

Q Were any such SD Einsatz Commandos under your Army Group?

A No.

Q What did you hear concerning these Einsatz Commandos at that time?

A I just remember that near one of my headquarters some people were supposed to have been shot. That was already outside of my circle but I was that far back with my staff headquarters at that time. I thereupon prohibited that any soldier would go watch such a thing.

Q Did you hear by whom these executions were carried out?

A The SS.

Q The Prosecution presented a document, USA Exhibit 560, Affidavit No. 16, which was written by General Roettiger. As you probably have found out in the meantime, these SD Einsatz Commandos actually did carry out mass executions of Jews and these mass executions were, without a doubt, one of the main duties of these Einsatz Groups. General Roettiger stated the following in his affidavit, and I quote : "Even though it was generally known what the duties of these Einsatz Commandos were, as it evidently occurred with the approval of the highest Army Leadership....." I want to ask you now, did you have any knowledge of the duties, as I described them to you, of these SD Einsatz Commandos and were they carried out with your approval?

A No. I never knew anything about it and never approved anything of that sort. The only case that I know of is the case I already mentioned as having happened near my headquarters. Of course one heard stories that were supposed to have happened, not during the Campaign of Poland but during the Military

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Government of Poland. We heard these stories. Whether they were true we naturally could not prove.

Q In connection with the supposed connection between the Army and the SD Einsatz Groups the Prosecution has presented a further document, Affidavit No. 18, USA Exhibit 563. This affidavit is by an SS Leader Rhode, who made the following statement. I quote: "As far as I know, these SD Einsatz Groups were within the Army Groups and were under the direct command of these Army Groups both tactically and in every other matter."

A That is not true. We never had anything to do with these people, either on duty or off duty, not in the East or in the West. They were all under the orders of Himmler.

Q The witness, Ohlendorf, stated before the Court that Himmler had told him in April 1945 that Commanders-in-Chief were informed of the plans of extermination of the Jews. Ohlendorf showed, as one of his proofs of evidence, the fact that before the Russian Campaign started, Hitler, in a speech to the various Commanders-in-Chief, had told them of the proposed liquidation. Field Marshal, you were present during all the discussions between Hitler and the various Commanders-in-Chief before the Russian Campaign. I ask you, did Hitler, in his speech to the Commanders-in-Chief, ever express his intention of annihilating or exterminating the Jews?

A No, he never would have said that to us since this entire thing was under the cover of "Secret Measure."

RUSSIAN PROSECUTOR: I am very sorry to interrupt but I must say that Dr. Laternser has probably made a mistake in referring to the affidavit of Ohlendorf. Ohlendorf referred not to an order of Hitler but to an order of Himmler about the extermination of 30 million Jews.

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DR. LATERNSER: Yes, but I want the question to remain as I put it since any orders from Himmler to the Commanders-in-Chief had to go by way of Hitler who was, of course, the Commander-in-Chief of all Armed Forces and if there was such an order given to the Commanders-in-Chief, then this order would have had to come from Hitler, the Commander-in-Chief of the Armed Forces.

Q Do you know of an agreement which, according to a witness called here Schellenberg, was made between Heydrich on one side and the General Quartermaster on the other side, and by which the Army Groups were supposed to have been informed of the duties and activities of the SD Einsatz Groups?

A Of course I did not know anything concerning this agreement as I had nothing to do with Wagner, the General Quartermaster. As I stated before, this entire Jewish operation was under the cover of a Secret Order.

Q Did you know the Quartermaster General, Wagner?

A I just knew him a little bit. He was hanged because of the 20th of July.

Q Did you ever hear of an order, according to which 30 million Slavs were supposed to be exterminated?

A No.

Q Did you have any knowledge of the now well known activities within concentration camps and the activities of the Gestapo?

A No. I would say most all of us, including almost the entire German people, heard of these cruelties only through the movies and the press releases of the occupation troops. We knew of only two concentration camps. One was Oranienburg which was the show camp which was presented to the visiting foreign diplomats to show how good these concentration camps were. Then there was Dachau, which was known among the people not as a concentration camp but as a concert camp and that people were sent there who had made unwise statements or had become unpopular, such as, for instance, Father Niemoeller. Two friends of mine who are here in

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prison right now, Halder and Falkenhausen, were one year in Dachau and did not have the slightest idea of what was going on there.

Q In the documents which the Prosecution are presenting or have presented it is shown that during the battles of 1941 in the Russian Campaign, thousands of Russian Prisoners of War were supposed to have been killed or shot.... First of all I have a few previous questions.

A You said "killed" - probably not the right translation. That should be "died."

Q First a few previous questions. What did the Army Groups have to do with the Prisoner of War system?

A Nothing. We did not have any Quartermaster units and we did not have anything to do with the supply and reinforcements. We were purely an operational staff.

Q What did the Army Commanding Chiefs have to do with prisoners of war - the commanding groups of the Army, what did they have to do with the prisoner of war system?

A Army Groups had nothing to do with prisoners of war. The Armies had to send any prisoners of war that were captured within their area to the rear areas and from these rear areas they were transported either to prisoner of war camps or they were sent further back, maybe to the Homeland.

Q In other words, these Armies had only to concern themselves with these prisoners of war for a short time?

A Just to collect them and send them back as soon as possible, the same as the Army Group who collects all of them and sends them as fast as possible towards the rear without any delays.

Q What were the reasons for the deaths of so many thousands of prisoners of war during the fall and winter campaigns in 1941?

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A There were many reasons. It is true that many of them died of hunger and over-exertion during that winter. In a so-called "kettle battle" meaning encirclement battle, the troops have no food except what they carry with them and they were already pretty nearly starved when that encirclement was completed. The number of prisoners of war amounted sometimes up to hundred thousands and sometimes was stronger than the Army which captured them. The German Army was very short in supplies and even though trying could not possibly get enough food together to supply those poor prisoners of war. In addition to that, terrible supply conditions existed at that time, terrible railroad conditions, road conditions which worsened the situation generally. It was tried to give these people things from the fields, like sunflower seeds, and other things that they could collect. In my opinion one of the main reasons for that mass dying was the terrible winter conditions, they could not be brought under roofs and had to stay outdoors all that time. That is about what I have to say to that question.

Q Have you been able to ascertain that everything was done by the Commands concerned to alleviate that particular situation?

A I have not been able to ascertain or did not try to ascertain whether things had been done the way they should have been but I am sure that was the case.

Q Could you say or could you ascertain that during that Campaign of 1941 the Russians themselves, during their retreat, destroyed things in a large way?

A During the advance of my Army Group very little destruction could be noticed until we advanced into the ~~heck~~ more industrial sector around Diepper, Dnjepr Saporoshje, Kliberack, and so on. I recall specifically the destruction of a large dam near Saporoshje. After the crossing of the Diepper the Russian method of long delayed fuse dynamiting became more and more apparent. A great deal of

spelling

H0963-0025

damage and misery was caused with these delayed fuse detonations. Even long after the fighting had ceased these detonations took place through radioactive detonations. We had, therefore, to examine every building that we intended to occupy for such underminings or charges. Particularly numerous demolition charges were found in Kiev and Kartrov. In my headquarters, Poltava, I am happy to say there were none.

CAPTAIN TAUBRIDY: Dr. Laternser, may I ask what is the point of this line of testimony?

DR. LATERNSER: The Prosecution has asserted, particularly the Russian Prosecution, that the Germans undertook a great number of demolitions in their advance and I want to ascertain or show that a great number of these demolitions were done by the Russians in their retreat before the German Armies ever reached those areas.

A The enemy had made no use of the so-called policy of "scorched-earth" during my time in the Russian Campaign.

Q Were there extensive demolitions at Stations and Railways?

A Comparatively few. The main difficulty as far as rail transport was concerned was not so much the demolition but rather the reloading and rechanging from Russian gauge to Western European gauge railways, which I also mentioned before, in connection with the starving prisoners of war.

Q In that Molotov Note of 27 April 1942, in the German text on page 13, it was stated that you, Field Marshal, had given the order for the Russian prisoners of war to clear the mines and that was not only referring to Russian mines but German mines as well. Will you please give an answer or make a statement to that?

A In that order, as I recall, the town of Kiew is specifically mentioned and, if I remember correctly, also a regimental number. I did not give such an

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order as an Army Group Commander. If it had been given it would have been given by an Army Commander. The Army which was standing near Kiew, and I believe that was the only sector where mines could have been laid, was the Sixth German Army. If Molotov is mentioning my name he may possible have confused that with Reichenall instead of Rundstedt.

Q The witness, ~~Rodax~~ Rhode, in his Affidavit #18, USA Exhibit 563, states as follows at the end of this affidavit: "I am of the firm conviction that an agreement of all Field Marshals would have resulted in a changing of the missions and methods used." This particular statement I have just read refers to the methods used in the Eastern, that is the Russian Campaign. Since the SS-Fuehrer Rhode has had occasions to express his views on the subject I would like to ask you to give your views.

A Rhode is mistaken. A protest of all the Field Marshals against an order of Hitlers was absolutely unthinkable. This would have given Hitler the opportunity to rmove some of the high-ranking officers from the Army Groups and replace them with SS Leaders. The leadership methods within the army would have worsened. Nothing would have been improved by such a protest. The only possible thing would have been a sort of quiet sabotage - the same way as it was done with the Commissar Order of Hitler. I think it is impertinent of an SS man to dare to make such a statement about a Field Marshal.

Com A
Take 3, page 1
Cook
1400 - 1530
19 June 1946
Von Runstedt

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(The commission reconvened at 1400 hours 19 June 1946)

VON RUNSTEDT - Resumed
DIRECT EXAMINATION - Continued

BY DR. LATERNSER:

Q I should now like to ask you some questions relating to the period of the German occupation of France, which officers were responsible for the peace and order?

A. The military commander at Paris was responsible for peace and order. He was responsible for the occupied part of France and for the rest of France the government of Petain was responsible. After it became necessary to occupy the unoccupied part of France, all of the military commanders, besides Petain's office, was also held responsible and he carried on this responsibility with a police staff of the SD.

Q Did Hitler himself give any instructions concerning the maintenance of peace and order in France?

A Do you mean as to the period where there was no fighting in France, at the time of quiet in France?

Q Yes, I refer to that period and to the later period.

A During the time of quiet in France the military ~~xxxx~~ commander, to ~~xxxxxxxx~~ whom I could not issue instructions, received his orders by means of the channel of the OKW. When the threat to peace became more acute with the

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increasing of the resistance movement in Southern France Hitler also made use of the Commander in Chief West, especially in the winter of 1943- 1944, to help maintain peace and order. He did so especially because the resistance movement had become an enormous danger to the troups stationed at the Mediterranean shores and especially so since the French police and the troops of military commanders had become completely powerless towards combating these resistance movements.

Q After the position of the Military Commander West had also been secured in the maintenance of peace and order did Hitler give any instructions concerning the issuance of orders in this respect in your turn?

A Hitler continually accused us of a continual slackness and indulgence toward the Petain government and threatened to employ SS troups under the leadership of a SS commander. Finally in March 1944 while I was on leave an order of Hitler was issued to my Deputy Sperle of the air force to take more energetic methods now concerning the combating of this resistance movement that has taken on enormous strength. I might mention in this connection that the number of resistance movements was greater than the total number of all divisions stationed at the Mediterranean coast. By reason of this Hitler order my staff under Sperle worked out a draft concerning these questions and transmitted it to the military commanders. This draft

H0963-0029

or order was returned after examination and a few changes had been made. Thereupon, it was once more sent to the OKW of Hitler, and was slightly altered there and then returned. The precautionary measurers were necessary because there was a new man on our staff who had had international law training. When I returned from my leave that order that had been completed in the meantime was submitted to me.

Q What was the contents of this order?

A This order said that the severest steps were to be taken, and also, of course, within legal methods, against this enormous resistance movement. In the meantime also a so-called army, a secret army had been composed beside these bandit units, and moreover within the main bandit territory parts of the French police had by compulsion gone over to the side of the bandits. The French police was much too weak and toinsufficiently armed, although we had all of this help. Ever since the time when the secret army had been supplied by air with heavy arms and leadership, I should like to interject very briefly the conditions that had in the meantime arisen here, continual attack and ~~xx~~ sabotage on the rail lines. Within one night two explosive attacks or plots were made on my personal train. Traffic on the streets and roads was only possible by means of a so-called convoy system as was carried out on the high seas.

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Small garrisons of troups were encircled for days at a time and cut off from any means of communication. In the middle of the day marching troups for example were attacked and shot at. All telephone communications were interrupted. Only wireless communications were still possible and some other things. This was an impossible situation for troops to cope with facing defeat and having in it's rear this enormous resistance movement. I repeatedly begged the old Marshal Petain, to whom I had I might say, an intimate relationship, to warn his population not to take part in this resistance movement in any case, and I did so only in order to preserve the civilian population from having to undergo acts of reprisal. For a very long time I accepted the losses my troups sustained, I might say too long almost, only out of consideration for the French civilians and in order not to cause Petain any difficulty. A short time before the invasion I once more begged Petain to address his people on the radio and to warn them that in case of an invasion they should behave as wisely as possible. As difficult as it was for me to take this action, it had become absolutely necessary arising out of the military resistance to take against the resistance movements. I do not believe that there would be any army in the world

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that in a ~~xmx~~ similar case that would not have taken similar steps. Wherever illegal acts did take place as in the case of Oradour by an SS unit it was necessary, of course, to take severe action against this. I might refer to this later. Such an illegal guerilla warfare that women and children who are innocent are also concerned and suffer; when during such guerilla warfare towns are used as places from which to shoot and carry on a bombardment, and it can not be prevented just exactly as in a legal war whenever a town or place is defended from an attack and there are still civilians in this town, ~~and~~ any soldier would know this.

Q I asked you about the contents of this order.

A I don't remember the contents. I only know that severe measures were asked of us, perhaps the document itself will show. I do not have the document.

Q Just one more question concerning this testimony. You testified a little while ago that you as the Commander in Chief West were ~~granted~~ informed that a special SS leader would be employed against partisan movements, what was your attitude when you heard of this announcement of the employment of an SS leader?

A I opposed it and rejected it and said: "Send me more divisions for my rear lines and peace will be established of its own accord." In order to preserve the honor of the SS security police, all military commanders, I

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had to add here they always cooperated with Petain and his government, and any excesses which were committed were not committed by them.

Q Was the fighting carried on in spite of the position that you have just depicted, carried on as carefully as possible?

A Yes, as far as possible the fighting was carried on carefully. For example, we did not destroy whole localities, towns and villages by raiding them and through whole areas by bombarding them, but we only carried it out on individual places. We used no planes, and few tanks.

Q What about the artillery?

A Very little artillery. We never bombarded a whole locality but only one objective, that is, the house from which the shooting was being carried on.

Q Was the locality of the resistance movement organized?

A A short time after the invasion but I don't want to bind myself to the time, a radio meassage was broadcast by Eisenhower in which he stated that the members of Frenchresistance movement was now to be considered legal troups. We transmitted this immediately to the Fuehrer and asked him for his decision and his decision was a negative one.

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Q Was this attitude changed later on?

A Not as long as I was there.

Q Did you hear of any alterations concerning this status of legality after you left?

A As far as I remember the French who had fought in Southern France and further advanced toward Alsace Lorraine was recognized as a legally recruited, and that is the condition I found when I returned.

Q And what about the resistance movement in other parts of France, do you know anything about this?

A Apart from individual attacks that had always taken place since 1940 there was a relative peace and order in the remaining parts of France, except as far as Britogne was concerned.

Q Witness, I should now like a question on the regrettable incident at Oradour, just one preliminary question. What do you know about the event?

A We heard via the channels of the Vichy Government with whom we always had a German liaison and with whom we were in a continual exchange of information of the battles with troups and that parts of the second SS Division in Oradour, and that a church had been set on fire in which women and children had taken refuge. This division was on the march from the Southern part of France to the Normandy front and in continual fight with illegal

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troops. I reported this affair immediately to the OKW and asked the Commanding General, under whose Command this SS corps was, to have this affair investigated immediately and to report the findings to me. I myself could not order a legal investigation to be made because in this respect the SS was not subordinate to me but directly subordinate to Himmler.

After I had left my successor Field Marshal Kluge once more asked for information on the affair but I don't know what the results were. At any rate the incident was a regrettable one which might have been avoided.

Q In order to clarify this point in which connection was this SS Division subordinate to the Commander in Chief West?

A This is a very complicated affair. This second SS Division in France was a reserve of the OKW. When I needed this unit in Normandy as a fighting troop I had to have them released by the OKW for that purpose and then this SS division was only subordinate to me as far as battle action at the front was concerned. I was not able to take any disciplinary measures or pronounce sentences. I could not order any leaves and above all I could not order any legal investigations. I was just as powerless in respect to this division as I was towards units of the air force.

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Q That means that the only task you had with this SS division would be a military one?

A Yes, but, of course, to this also belonged the combatting of the illegal movement.

Q When this incident at Oradour took place, did the SS Second Tank Division have any orders from you?

A Yes, this division was to march as ~~xxxx~~ quickly as possible northward and there to be entrained. All train connections had been destroyed in the lower part and communication by train was only possible beginning with the Loire.

Q After the events in Oradour you just testified you asked the Commanding General of the Corps to investigate and make a report. What else could you have done in this affair?

A I couldn't do any more than I did and report to the OKW. May I add ~~xxx~~ something? The Commanding General of this corps to whom this SS division was subordinate was away engaged in heavy fighting in Normandy ~~xxxxx~~ and a considerable time would have elapsed for the investigation.

Q What do you know about the enemy commando actions in the affair Sarc?

A On this small English island an engineer platoon had been temporarily stationed in order to lay mines there.

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This platoon was not stationed at the base as it should have been but outside. During the night this platoon was attacked by a so-called commando action. ~~The people of~~ the commandos had blackened their faces and wore no uniforms. The engineers were thrown out of their beds, chained and dragged to the coast. One man because he did not want to enter was shot. Two others were able to escape and reported the incident. An investigation that had been ordered by Hitler disclosed the fact by means of a photograph that this man had been shot while he was chained. This incident must be on file with the files of the OKW.

Q Do you know the so-called commando order that Hitler issued on the 18th of October, 1942?

A Yes, I know this order. It applied to the whole world, that is, it applied to all of Europe.

Q What attitude did you take towards this order?

A In my opinion if commandos behaved properly they were fighting troops similar to the parachutists. This order of Hitler just like his Commisar order was sabotaged not only by us but also by the SD.

Q Did you ever discuss this order with the Commanders subordinate to you?

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A I don't remember.

Q Do you know of cases or were cases reported to you where the Commando order was applied?

A No.

Q Were any prisoners taken in the Commando Befehl action?

A No.

Q One question concerning the deportation of labor. Was this labor recruitment in France promoted by higher military officers?

A No, to the very great disgust of Sauckel it was not, although it had been ordered by the Fuehrer, we always refused to do so, under the pretext we did not have sufficient troops for this. I had no desire to increase or strengthen the under-ground movement by means of the orders of these fresh young exalted people.

Q Did you warn the OKW by official channels concerning these labor recruitments?

A That was not a concern of mine, that was a concern of the military commander who always called on us for help and helped us so that the people would not make any difficulty.

DR. KEMPNER: May I suggest that we translate these words literally.

INTERPRETER: I don't think I can.

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CAPTAIN TUBRIDY: Would you write them out, Dr. Kempner, and let us have them.

DR. IATERNSER: Could we take a short recess at this time?

CAPTAIN TUBRIDY: We will take a short recess for ten minutes.

(A short recess was taken)

BY DR. IATERNSER:

Q Field Marshal, have you tried to ease the situation for the French civil population?

A I should like to be very brief on this subject because it looks like praise if I talk about everything. Upon request to the old Field Marshal Petain I spoke to the Fuehrer on several occasions to find out what France can expect by the ~~xxxxx~~ ending of the war but without success. I ~~have xxxxxxxxxxxxxx~~ achieved some success with things for the French railway employes, for exammample, liberation of relatives, additional food, etc. In 1940, we have helped deportees with food and have helped them in ~~xxx~~ their ~~xxxx xxxxxxx~~ transportation back. When the air attacks, that is, Allied air attacks on Paris and environs, became very strong, we have spplied troops for aiding purposes. We have fed the poor population in my own headquarters every noon. We have seen to it that coal was transported to Paris in spite of bad rail

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connections even while the invasion was already in progress and there were only seven trains that could run in entire France. That is about sufficient I think.

Q I will ask no further questions on that point. What do you know about Hitler's order to include Paris in the fighting zone?

A I only know, although I was not Commander in Chief any more at that time, and I heard from my successor, who is also here, that this order has not been followed and no bridge has been demolished -

INTERPRETER: Correction - my old Chief, who is also here, I have heard about this from him.

BY DR. IATERNSER:

Q Now a few questions regarding the Ardennes offensive. When did you hear from Hitler for the first time about his intention to start that offensive in the winter of 1944?

A I believe in the beginning of November.

Q Did you know that preparations were started in the OKW already in September?

A No

Q Didn't you notice that in your command already changes or movements of divisions took place, the reason for which you could not see?

A These movements of divisions took place only when the order of Hitler was already in my hands, that

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is to say, in November. In September, Hitler still wanted us to attack near Nancy.

Q Were any of the Commanders in Chief outside of those who were actually concerned with these movments notified about these intentions?

A Only the Army Corps Commander, Model, commanding generals and division commanders concerned were notified. I myself had to notify the Commander in Chief of the army corps way down south because I had to take several divisions from him and otherwise he would not have understood.

Q In the army corps sector, Malmedy to be specific, 100 American soldiers have been shot. Have you had any reports about this particular incident?

A I myself have heard about this incident by way of an enemy broadcast though my staff and immediately called on my group Model to get the detailed report on this. At the same time I received a request from the OKW to make such an investigation as they had heard the same broadcast. At the present time there is a war trial at Dachau against the leader of the SS who was concerned with this action.

Q There has been a witnesshere in this trial in Nurnberg by name of Von der Essen who testified here concerning this matter, and in his deduction he states

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that the order from higher up must have been given. How many xxx discussions concerning the Ardennes offensive have taken place?

A With the Commanders previously mentioned, and they were divided into two groups, only one such discussion took place. With my staff several of them as my headquarters was close to one of the Fuehrer.

Q During these discussions was the subject of shooting of prisoners at any time discussed or was any such order requested?

A On the contrary no such order was given. On the contrary he requested that as many prisoners as possible should be made for propoganda purposes for the German people.

Q In other words, the deduction by this witness Von der Essen stating that prisoners of war should be shot and the civil population should be treated harshly has never been given?

A That is a deduction which is absolutely incorrect.

Q The high military leaders who have been accused of xxxxxx prolonging the war and propagating the continuation of a hopeless war, these defendants have been accused of such practices, can you make any statements to that effect?

A One could talk about this matter for a long time but I will be very brief on that subject. Since the

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Yalta conference there was no hope for the German people, whether Hitler was there or not. The German people, and justifiably so, believed it to be a fightfx for their existence. We military leaders had to hold out to the last according to our oath and to be faithful to our country, and, therefore, could not, through the removal of Hitler upon our part, end the war. Aside from the fact that such an attempt would have been absolutely hopeless due to the general attitude of the army, such a man would have gone down in history as one of the biggest traitors of his country because the German people through a peace of that sort wouldhave had no advantages compared to now. That is why I condemned also the attempt of assassination of the 20th of July. That ought to be sufficient.

Q Didn't you attempt to convince Hitler to end the war because there was no more hope of success?

A Yes, in a certain way we have tried that, that is to say, Field Marshal Rommel and myself. That took place at the discussion about three weeks or rather two weeks after the invasion started near Soissons, to which discussion the Fuehrer had come. At that time it was already clear that the invasion was a success and could not be any more remedied. We told the Fuehrer at that time something had to be done, that is to say, in a

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military way, meaning away from the coast where nothing could be done any more, but also in a political way, whereupon the Fuehrer went out of the room and Colonel General Jodl said it should have been another Field Marshall who should have told him that. A similar indication we gave him at Obersalzberg toward the end of June. When I returned to my headquarters I was relieved of my command by a very polite letter in consideration of my health.

Q Now we will come to the next question. What possibility existed for a high military leader to resign?

A Towards the end of the war when events took an unfortunate turn for Germany, let us say, from the Stalingrad period on, an attempt for a high military leader to ask for dismissal on his own accord was as good as impossible. Aside from that there was a Fuehrer order of 1941 which stated that no High Commander could resign his position as ~~xxxx~~ well as no ordinary soldier could say: "I am not continuing." I have to return to my own resignation during the winter of 1941. The fighting near Rostov/~~xx~~ of my tanks only made it necessary for them to retreat towards a river. During the movements of these armies towards that river a telegram arrived from the /~~OKW~~ OKH behind which really was Hitler, stating, no, this army cannot retreat, but they have to remain where they were, that is forward. I answered that

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telegram from the OKH stating that we had contemplated this move toward the rear for days and have reported it. Please cancel this order. If this is not done I must assume that there is no more confidence in my person. Please take somebody else. The same night an answer arrived stating that your application has been approved and another Commander in Chief will arrive. Hitler himself flew down there, that is to say, towards the Azog Sea and convinced himself that we were correct with our reports and that his order was wrong. He flew back and had a conversation with me at Poltava. He regretted his decision in a certain way to have sent me away. We quit occupying it six weeks later. I had represented him at the funeral of Field Marshal Von Riechenau and in the name of the German people a big donation in money on the occasion of my birthday and in March 1943 I became Commander in Chief West, which was a sign that my resignation was not taken the wrong way by him. I want to repeat that at that time Germany was not as yet in danger, under which circumstances I would not have taken the step, although later on I contemplated doing so several times.

H0963-0045

Q A resignation against the will of Hitler, would it have been possible at that time?

A That would have been considered a revolt and not only his own person but also his family would have suffered under such a regime of dictatorship.

Q I only mention this present of money because you brought it up yourself. Did you ever touch that money or what have you done with it?

A It might be of interest if I tell exactly what Hitler has given me. At my sixtieth and sixty-fifth birthday, each time I received a snap shot of Hitler in a silver frame, each time the same one, and in 1941 for my birthday I received the sum of 250,000 marks which I have just mentioned. That money was deposited under a special account until the collapse and has given me nothing but trouble in the payment of interest. For my 50th Military Jubilee I received a picture of Field Marshal Moltke, painted by Lehmbach, which I have given to a museum, which hasn't been bombed out, and aside from that he gave me a pound of coffee which I do not want to mention here.

Q I want to ask another question which I forgot originally. How old are you, Field Marshal?

A Seventy and a half.

DR. LATERNSER: I have no further questions.

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CROSS EXAMINATION

BY DR. KEMPNER:

Q You have just mentioned Field Marshal Moltke, was Field Marshal Moltke one of your historical military examples in the good old Prussian tradition?

A Yes, not only on account of his great knowledge but also on account of his great modesty.

Q You probably have read the book of Field Marshal Moltke during your years of military education, is that so?

A Yes.

Q Is it correct that other military writers like Frederick William, the First, and others, are known to you?

A Generally speaking I am not a good friend of military writers. I prefer novels, preferrably detective ones.

Q Do you want to say by that you have not studied the military history of Prussian Germany?

A No, I just want to say I did not read the tremendous military literature that is available.

Q Do you agree with the slogan of the Prussian General Staff which is usually presented to the officers, saying an officer owes nobody obedience if it goes against honor?

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A This slogan is unknown to me. The only one I know is that a General Staff Officer has to be more than he ~~sees.~~ appears.

Q Now that you know it, do you agree with this slogan of William Frederick, the First?

A No.

Q Do you agree with the words of General Field Marshal Von Moltke, do you agree with the slogan that an officer has an entirely different responsibility before God and his Fatherland than just to his Superior?

DR. LATERNSER: I object to this sort of a question because it does not concern facts but more an opinion of the witness?

CAPTAIN TUBRIDY: ~~I understand~~ It is a permissible question.

WITNESS: I have given an oath here and I won't let anybody take me under examination. I am not a recruit here.

DR. KEMPNER: ~~XXXXXXXXXXXXXXX~~: Will the Court ~~XXXXXXXXXX~~ advise him he is a witness and has to answer questions under cross examination?

CAPTAIN TUBRIDY: Will you please instruct the witness if it is within his knowledge he is supposed to answer questions that are put to him.

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BY DR. KEMPNER:

Q I am going to repeat the question to the witness, if a general officer has any other responsibility aside from the onebefore his God and Fatherland?

A I am of the same opinion as XXX Field Marshal Von Moltke, one is responsible for one's doings before God and his Fatherland.

Q When Hitler came into power in 1933 did you work for it because you thought the army would come into it's own?

A We couldn't know that at that time. We were only concerned with the equality according to the Geneva convention or international law or whatever you want to call it. If Hitler ever brought us that we were glad about that. Why, I told you here yesterday.

Q Did you believe that Hitler could achieve that better than the Government before him?

DR. LATERNSER: I again object to this question because again no fact is being stated, but the opinion of the witness is being asked.

THE WITNESS: I am only too glad to answer the question.

CAPTAIN TUBRIDY: Yes, please answer the question.

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A In my opinion, the matter of equal rights could only depend on the way of negotiations.

Q Were you in accord with the various theories ~~of~~ that Hitler proclaimed? I mention one - the racial theory.

A Nonsense, you only have to look at the German race.

Q The theory of "Living Space?"

A The only wish we had was to gain our colonies and for enterprising people to have an opportunity again.

check spelling

Q Were you also against the Lebensraum theory of Hitler concerning the eastern zone?

A We had enough living space, the only thing we wanted was the corridor connecting us with the Eastern Prussian zone.

Q How was it possible that you participated in the action against ~~the~~ Czecho-Slovakia, Russia and Pland?

A I am a soldier. I have given my oath to my country, irrespective of who is head of the countryand irrespective of political reasons as the Englishman says, "Right or wrong my country."

Q Were you never in conflict with the things which we talked about previously on one side and the aggressive purposes of Hitler on the other side?

A Absolutely, I have never carried such a burden. That I have to give to Hitler.

Q In the main proceedings here, the defendant Schacht has stated as a witness that/if a man has broken his oath to us, we do not have to keep our oath to him. Do you concur with that opinion?

A I do not know what Mr. Schacht meant. Who broke the oath?

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Q Schacht meant that Hitler broke the oath after he attacked Czecho-Slovakia.

A In my opinion, he never gave an oath in that connection.

Q At that time he swore before the German people, "I have no further territorial aims."

A I cannot give any answer to that question. I am a soldier and just because someone else is a scoundel does not mean that everyone else has to be one also.

Q When this scoundel is your superior, what is your attitude then?

A That question I refuse to answer.

Q That is what I thought. Did you agree with everything that Hitler ordered as commander?

A No.

Q With what things did you not agree for example?

A On the whole I have expressed myself previously on that. I thought the Stahlingrad campaign a pure insanity and with the available forces we had it was an insanity. There are other examples.

Q But you are still of the opinion that you had to follow him anyway?

A Yes and as I said before it became very, very difficult.

Q You said before that the people concerned in the 20th of July incident, because they did not ob ey were criminals, is that correct?

A I am afraid you misunderstood me somewhat. If there had been a possibility at that time to end the war, but there was not and an attack at that time would have caused chaos. The two armies in existance

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would not have been able to keep order in Germany or on any front.

Q According to your ideas, did the people involved have any idealistic motives?

A Evidently they had, as I know quite a number of them, nevertheless I consider it clear stupidity.

Q Were you sitting as judge over them and helped remove them from the German army?

A The honor court to which I belong, although I was not on active duty any more, had made the possibility of giving sentence over these people irrespective of who was sentenced or declared not guilty.

Q Could they remain in or enter the army?

A This sentence from the court had only two possibilities either for hard labor or the death penalty. We, as the judge, for military purposes had to insist on their removal from the army. If there was a possibility that a person was declared not guilty, then he would only be dismissed from the army and at the end of the trial, he could be reinstated.

CAPTAIN TUBRIDY: We will have a short recess.

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FOLLOWING RECESS.

BY MR. RAPP:

Q May I ask questions on the Polish corridor? I would like to ask some questions about the historical background during the period from 1933. Yesterday in your testimony you were questioned on the Alsace-Lorraine situation. I would like to ask you about the situation at that time in the east. Is it not a fact that the question of the

H0963-0052



Polish Corridor, Danzig and Silesia constituted a question of paramount importance? Durigg that meeting in August of 1933 in Upper Salsburg, did not the Fuehrer inform you that an action was contemplated against Poland. Did the Fuehrer inform you that an action was contemplated against Poland? Did the Fuehrer inform you at that time he was still attempting to solve that question in a peaceful way? Is that correct?

A Yes, that is correct. We were still all hoping it would be another one of the compromizes that were made in 1938. If you relinquish the corridor - alright.

Q The aim that the Fuehrer had in mind was quite popular among the Generals. Is that correct?

A That is correct, but I want to point out that this has no connection with the gaining of living space, it was not to gain additional territory, but to regain old German territory. I have been asked in that connection by my German counsel.

Q I have never touched on that question.

A I just wanted to avoid having my previous statement confused with the question of "libensraum." Lebensraum. (?)

spelling

Q One could therefore say that the regaining of former Gemman territory had become a question of honor for you.

A Yes, one could say that if necessary. I want to deny that for my purposes it was made a question that had to be solved by war.

Q Why not?

A Because I am of the opinion it could be solved in a peaceful way if sense was being used. In my opinion, the old gentleman and the municipal mayor of Poland, Mr. Beck, would have consented to such a policy.

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Q Another fact, which I would like to make clear before asking any further questions. Did the Fuehrer explain to you which things did not go according to schedule?

A Yes, if by that you mean the operational precautions. In that case it is correct.

Q That is what I mean.

A Yes.

Q Did the Fuehrer tell you that Poland could be seized in a single operation?

A I think the Polish war could have been isolated. As far as I know the Fuehrer did not count on interferance by the western powers because of a war-like conflict with Poland.

Q Then for the reason which we just stated the Polish campaign could be considered as a popular one with the Generals?

A MR. LATERNSER: I object to that question because the witness is being asked for judgment or an opinion. I would like to have the questions limited to a statement of facts.

CAPTAIN TUBRIDY: Whether ~~the fact that~~ the Polish campaign was popular with the Generals seems to be a matter of fact and not of opinion.

A No campaign was popular with us and that goes for the Polish campaign also. After the campaign in the Sudetenland, which means the "flower" war, the German ~~population~~ folk might have worked out a similar campaign against Poland.

Q Witness aside from the fact whether the war in general was popular or not, I would like to find out if the matters about which I am now asking

H0963-0054

you are facts. Through the taking over of power by National Socialism, the Wehrmacht was able to be increased numerically, is that correct?

A Yes that is correct.

Q Through the National Socalists, the question of the Polish corridor and Danzig was put more and more in front of the eyes of the German people?

A Yes, that is correct.

Q Another fact I would like to have obtained. Hitler stated after the Czecho-Slovakian and Prague campaigns that he had no further territorial claims?

A Yes, that is a fact.

Q There are three facts, which have been discussed, (1) the military increase in the number of the Wehrmacht, (2) the increasing propaganda concerning the Polish Corridor and Danzig territory and (3) the contradictory statements of Hitler. Now, what reason did you have to believe that the Polish question could be settled peacefully in spite of the aforegoing facts?

A On account of the Russian-German pact, which Hitler negotiated. We believed that there would be sufficient pressure exerted on Poland to permit us to solve that question peacefully rather than by means of war.

BY DR. KEMPNER:

Q Do you agree with me witness that the aggressive war against Russia was an attack?

A Expressed in military terms, it was a preventive war - that

H0963-0055



means to get ahead on an attack on one side.

Q Do you agree with me and consider the march into Czecho-Slovakia an attack?

A If you mean the one in 1939, I agree with you. It was rejected by many circles at that time as a breach of the Munich agreement.

Q Were you among those people about whom you are talking?

A I was not in service at that time and therefore could have a private opinion like any private citizen.

Q Was that you opinion at that time?

A Yes and it is still my opinion today.

Q Do you consider the march into Denmark and Norway also as an attack and an aggressive war?

MR. LATERNSER: I regret to interrupt again, however, the question of whether the march into Denway and Norway was an aggressive war is an opinion. This is a judicial question and not a question concerning facts.

CAPTAIN TUBRIDY: The question of whether a march is an attack and aggressive warfare is a question for the military, is it not? And an expert in military affairs should be able to answer it.

MR. LATERNSER: Yes as long as the question is purely on a military matter, but the question as it is asked is not a military question.

CAPTAIN TUBRIDY: The witness just answered the question that the campaign against Czecho-Slovakia was a military attack, and has testified that the Russian war was a "preventive" war

H0963-0056

MR. LATERNSER: Just because I did not make an objection to a previous question does not mean that I cannot object to the following question.

CAPTAIN TUBRIDY: The witness may answer.

A If it is a fact, I am not sure. The march into Norway was a preventive war, but I am just a simple soldier and not a lawyer. My opinion may be wrong, but I am just a simple soldier.

Q Was the entry into Belgium and Holland an agressive war or not?

A No. The neutrality of Belgium had already been violated by the British. This is just another question of preventive war. If we had not marched, the enemy would be in the Ruhr.

Q Is it known to the witness that the SD and similar organizations under Himmler created incidents at the Polish corridor so that the time would come to take measures?

A I don't know anything about that.

H0963-0057

Q Yesterday, during the direct examination, you spoke about defensive measures which had already been taken during the years of 1933, 1934 and 1935. Is that correct?

A Before the recapture of the eastern territory no such measures could be undertaken. In the East there was the Heilsberger Triangle. In the Pomeranian position or in the Sector Oder-Warthe Bend and eastern frontier along Silesia, weak defensive positions against ~~Russian~~ Polish attacks existed.

Q You spoke about maneuvers on the German side against attacks that might come from Denmark, Poland and Czechoslovakia, is that correct?

A Yes.

Q You spoke about Denmark, Czechoslovakia and ~~Holland~~ Poland in terms of enemy powers. How was that possible at that time.

A Everything that was lying around us, that is around Germany, was hostile against us with the possible exception of Switzerland. Even Austria could be considered as hostile to us. That we saw towards the end of the last war.

Q During the last war neither Holland, Denmark or Switzerland were enemy powers. How could you explain that?

A I have not spoken about Holland or Denmark although Denmark had no friendly attitude towards us. You are mistaken there. During the last war we lost half of the province of Schleswig-Holstein to Denmark.

Q Was Denmark an enemy of Germany during the last war, or was it neutral?

A Neutral, but ~~unfriendly~~ unfriendly neutral, which in essence is the same.

Q During the years of 1933, 1934 or 1935 did you actually fear an attack on the part of Denmark, Poland, Czechoslovakia or any of the other countries?

A We always expected an attack on the part of Czechoslovakia for the re-gaining of Silesia. Aside from that all these maneuvers,

H0963-0058

movements and so on were meant for eventualities which could turn up at the turn of a hand.

Q On what do you base your opinion that such conditions might turn up at the turn of a hand?

A That is the threatening that we have experienced on the part of Poland; the opinion of the entire world because we Germans had Hitler as our supreme commander. Aside from that it is my personal opinion. Whether it is correct or not I do not venture to say and I don't care whether it is or not.

Q Did it prove true that the world has attacked Germany or was it a mistake or an error?

A One side is just as guilty as the other.

Q Yesterday you said in the direct examination through your defense counsel that you only heard through the radio about the regaining of the military sovereignty.

A That is correct. This proclamation of military sovereignty was preceded by long discussions over many years starting with the Weimar Republic, backed by Stresemann, later on Blomberg, and so on. Hitler faced the world with the simple fact of that commission which had attempted for a long time to gain equality before the world.

Q What did you know or hear about the secret rearmament prior to this proclamation of military soveriegnty and to what extent did you participate?

A I did not have to participate as Commander-in-Chief but I certainly heard about the improvements of armament and perfection within the Wehrmacht. Otherwise those things were kept extremely secret even as far as we military were concerned.

Q How do you explain the fact that in spite of the secrecy of this re-armament, even towards you, thousands of people were recruited into the army

H0963-0059

although they were not part of the regular army?

A That must have been in an earlier period when the so-called Black Reichswehr existed that was under Seeck. When we created a short time training program that does not mean that we re-armed. We needed people for our forward fortifications but that still does not imply a rearmament program. No additional infantry, artillery or cavalry regiments were created at that time.

Q Is it not a fact that during 1933 and 1935 you participated in inspections of so-called police regiments which in fact were nothing but just disguised future soldiers?

A No, I did not take part in any such inspections. If such regiments had existed those inspections would have been made by divisional commanders under whose jurisdiction they were to come.

Q Afterwards, that is after the proclamation of military sovereignty was made, and ten thousands of soldiers existed all of a sudden - did you subsequently hear how that has been achieved?

A The entire training that took place at that time was very pitiful. It could in no way be compared to what we had in 1914. If you give us a peasant boy, a uniform, and train him for one or two weeks, he is still by no means a soldier.

Q Now something else. Did you hear that on the 30th of June 1934, General Schleicher was assassinated - murdered?

A Yes.

Q By whom was General Schleicher murdered.

A The names of those people I do not know.

Q Was it known to you that Schleicher and the others had been murdered by order of Hitler and Company?

H0963-0060

A No. I did not know that. I only know it took place in connection with the Roehm Putsch. I myself armed my orderly, my driver and my servant with ammunition, so as to be prepared for any eventual attack on my own person.

Q How could you serve a regime which threatened the life of even you, a general, and which dared to check on your own telephone conversations?

A First of all, during that time the old Field Marshal and Reichs President, Hindenburg, was still alive.

Q Didn't you know that Hindenburg was an old man and had nothing to say at that particular time any more and that Hitler and Company were actually reigning?

A Hindenburg, who was over eighty already at that time, was still quite active. As far as the supervision of the telephone was concerned, that we all laughed about because it was just a matter of course with us. When it rang one just said, "Well, it's just another one of those pigs on the line. Out with him." Thirdly, I did not serve the regime or a certain man who was at the head but I served my Fatherland.

Q If the old Hindenburg was still as active as you say, why did you not go there and complain that your own life was being threatened?

A That was a precautionary measure and the old man probably would have laughed if I had come to him with such a complaint, aside from the fact that I was not afraid of such people.

Q You said just now that you were not afraid but earlier you said that if one wanted to resign from ones position not only ones person but also ones family would be threatened. How do you bring those two facts together?

A I hope that from what I have said nobody will make the accusation of cowardice to me, otherwise I would have to ask to protect me in that direction. Hitler had innumerable occasions where he could have shot me. I hope that

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will close this matter.

DR. KEMPNER: I have no more questions. Mr. Rapp has two or three additional questions.

BY MR. RAPP:

Q Witness, you were Commander-in-Chief of Group I in Berlin at the time when the Military Sovereignty was declared in Berlin?

A Yes.

Q I ask you, as an expert, was Berlin an important point in the defense of Germany?

A Berlin is the capitol of Germany and if Berlin should be lost the consequences in Germany are unthinkable.

Q Yet you, as Commander-in-Chief for the defense of Berlin, only heard about the military sovereignty by way of radio instead of through military channels?

A First of all I was not just responsible for the defense of Berlin but for the entire eastern frontier meaning from the Baltic to the Danube. Aside from that all these matters were kept so secret from everybody that to my mind it is quite understandable that I should only have heard about it in the last moment and through that channel. It did not make any difference to me, as commander, whether I heard about this military sovereignty six weeks earlier or later. To me it was a great deal more important if somebody said "Here, you have six divisions more." If upon the question "When can I expect them?" I would be told two years later, I would have said "Thank you, that is all I want to know."

Q I do not want to make a joke here witness, but was the fact that you have been made Commander-in-Chief of Group Command I also kept secret from yourself?

DR. LATERNSER: I object to the question. It has no sense.

CAPTAIN TUBRIDY: The question is unnecessary.

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A I would be only too glad to answer that question. I was in that position from 1932 until I finally asked Hitler to release me from that job to go home. Before the announcement of that military sovereignty I, as Commander of Group I was not aware that there was also a Group Command III in Dresdent and a Group Command IV in Leipzig.

Q I want to ask you one last question. To whom did you give your oath before Hitler - to the Weimar Republic or to Hindenburg personally?

A My first oath I gave to President Ebert which means, in other words, to the Weimar Republic of which he was the first president. After his death I gave my second oath to the ~~Reichspräsident~~ Field Marshal and Reichs President, Hindenburg, and my third oath to Hitler in 1934 who, through the testament of Field Marshal Hindenburg became his successor. To go back much before that time, to be exact in 1892, I gave my first oath to the old Kaiser, when I became a soldier.

MR. RAPP: I have no further questions.

(The Commission adjourned until 20 June 1946 at 1000 hours.)

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The foregoing is a true and correct transcript of the testimony of FIELD MARSHALL VON RUNDSTEDT, taken on 19 June 1946.

Reporter (pp 1-13

Reporter (pp 14-25 456-61

Reporter (pp 26-47

Reporter (pp 48-55

CERTIFIED TO :

Commissioner

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4, OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

19 June 1946

H0963-0064

COMMISSIONER :

Capt. Joseph Tubridy

D. K. W.

FIELD MARSHAL VON RUNDSTEDT, a witness, took the stand and testified as follows :

DIRECT EXAMINATION — Resumed

CAPT. TUBRIDY : You are reminded that you are still under oath.

WITNESS : Yes.

BY DR. LATERNSER :

Q When and how did you learn of the intention to occupy the Rhineland ?

A I heard of the occupation of the Rhineland over the radio after it had already taken place.

Q Were you, at that time, Commander in Chief in Berlin ?

A Yes.

Q And you were present in Berlin at that time ?

A Yes.

Q Do you know what the attitude or opinion was of the Commander in Chief of the Army and the Minister of War at that time concerning the occupation of the Rhineland ?

A I heard later of a conference that took place in February, 1938, in the presence of Hitler concerning the von Fritsch affair. That was the time when Hitler stated in very indignant and no uncertain terms that he Minister of War and the Commander in Chief of the Army had, at that time, opposed the occupation of the Rhineland and had moreover demanded that the troops be withdrawn across the Rhine because of the threatening attitude France was beginning to take. On the very same occasion Hitler was also indignant over the fact that the Commander in Chief of the Army had opposed the increase of the Wehrmacht to 36 divisions, and that they had only been increased to this number because Hitler himself had pressed the point and insisted upon the increase.

Q During your personal interview with Hitler, did you also speak of the succession to the Commander in Chief of the Army's position in case it should

H0963-0065

be vacated ?

A Yes. Hitler suggested several different generals as possible successors of Fritsch. The first name he mentioned was General von Reichenau. I answered that General von Reichenau was not fit to be the Commander in Chief of the Army for reasons which Hitler probably knew himself. I was then asked for an opinion on Brauchitsch and I answered that Brauchitsch was a very efficient officer and well liked and esteemed by the Army.

Q For what reason were the higher officers in the German Army opposed to Von Reichenau's appointment at that time ?

Q We older officers considered Reichenau too much of a Nazi General. He is dead and it is embarrassing for me to have to say this but I am under oath.

Q I should now like to ask some questions as to whether the higher Nazi leaders had any political influence that led to the annexation of the territories. Just one preliminary question. Was the German nation prepared for war in the year 1938 to 1939 ?

A The German Army, especially so far as the infantry was concerned, could in no way be compared to the Army of the year 1914. Rearmament had taken place at far too great a speed and contrary to the advice of the higher leadership group. One should never forget that we had no trained reserves at all to bring the Army up to this number. In my own personal opinion, we also did not have sufficient numbers of cavalry troops, and the cavalry was absolutely necessary in case of a war in the East.

Q What about heavy arms ?

A There was a sufficient number of heavy arms but training with tanks, for example, takes a very long time and until the outbreak of the war, the troops did not learn how to operate them correctly.

Q As you have probably learned in the meantime, a conference took place on the 5th of November, 1937, between Hitler and the Chiefs of the different Wehmacht armies in which Hitler exposed his future plans to his commanders in chief. What position did you hold in November, 1937, and where were you stationed ?

A I was still Commander in Chief of the Army group Berlin.

Q Were you informed at that time of the results of this meeting by the Commander in Chief of the Army ?

H0963-0066

A No, although I had very close personal relationships with General Fritsch, he never once mentioned this meeting to me.

Q Did you, after this time --- that is, after November 1937 and later on--- receive any orders that deviated from those orders that you had received previously and that aroused your attention ?

H0963-0067

A No, only that General von Fritsch said in regard to the speed with which rearmament was taking place "We higher commanders should concern ourselves personally with the training of the smaller army groups." This really was not our concern but the concern of the lower commanders. Then General von Fritsch tried everything within his means to alleviate this speeding up which had been ordered by Hitler.

Q Witness, did this order that you were to concern yourself with the smaller units arouse your particular attention? Did you think anything of it or did you trouble yourself about it very much?

A No, it only confirmed my own opinion that even the higher officer had to concern themselves with the training of even the smallest units and group We did not, because of this order, think of any war possibilities.

Q Did the high military commanders have any chance to express their opinions concerning political decisions in which the Wehrmacht was to have a par

A So far as the Commander in Chief and the Minister of War were concerned, I cannot say. We, however, were never consulted.

Q It is known that before any military campaign, Hitler had the high military commanders appear before him and informed them of his intentions. My question is, did any possibility exist during these conferences to have any influence on Hitler's decisions to mitigate, moderate or to change them?

A No. These meetings were not really conferences, but a so-called issuing of orders, if I may use this term. It was not at all possible for us to make any grave objections. We were only able to give suggestions in similar matters where tactics, for example, were concerned, if we were of the opinion that what was being done was to be considered military nonsense.

Q Was there any institution within the Wehrmacht which might be termed a council of war?

A No, and there never was any such institution in the history of the army since the year 1700. This would undermine any discipline at all.

Q The prosecution has submitted an affidavit, No. 5, USA Exhibit No. 537, given by General Blaskowitz. I should like to refer to the latter half of this affidavit. I shall read the last paragraph:

"During the Polish campaign, especially during the fighting around

H0963-0068

Kutno, I was repeatedly in contact with the Commander in Chief of the Army, and he, as well as the Fuehrer, visited my headquarters."

I omit one sentence and quote the last sentence?

"Indeed, these military front commanders became Counsellors with the O.K.H. within their sphere so that the offices that are mentioned in the enclosed sketch comprise that group that was the actual consulting or advisory circle of the German Wehrmacht."

I should now like to ask you, did any such advisory circle or council exist as maintained by General von Blaskowitz in this affidavit?

A If the conclusion drawn from this affidavit is supposed to be that such an advisory circle existed, it is completely wrong and out of place. It is of course natural that the Commander in Chief of the Army, who has relations with the different Army groups and different areas, should visit these groups before any momentous or important military decisions or steps are made in order to get their opinion. This would be comparable to my visiting the Commanding General of an Army or Army group and asking him, before I intend to make an attack, for his opinion. This is not an advisory position but only the asking of advice from ones subordinates. In my opinion, that is all that Blaskowitz could have meant by this statement.

And another thing, the orders for the Kutno battle were issued by me and not by Hitler. At that time he would not have dared to interfere with us. Is that sufficient?

Q Yes, that is.

A I should like to emphasize that I do not want to accuse von Blaskowitz of having given false testimony. I only want to clarify what he meant.

Q If I understood you correctly, then these so-called consultations were only advisory meetings concerning the execution of a military measure?

A Yes, and one might compare this to a businessman who advises or consults with his employees or his advisors before making any big business deals.

Q When and how did you learn of the intention to invade Austria?

A I learned of the Austrian invasion only after it had been

H0963-0069

accomplished.

Q An intermediary question. Were you also in Berlin at that time?

A I just want to explain this. At this time, it must have been around the 10th of March, I was on an official inspection tour of recruiting camps either at Pommerania or Mechelnburg, I don't remember exactly, and while on this tour of inspection I was advised by telegram to proceed to Breslau in order to hold a memorial speech as the representative of von Brauchitsch on the 12th anniversary of the founding of the Ivory Cross because von Brauchitsch had to be employed at a different place. It was at Breslau that I heard of the invasion of Austria which had taken place on the previous day. If I had been in Berlin I probably would have been informed just as late as I was of the intention to invade Austria.

Q Had you learned of any plans to invade Austria before this time?

A No.

H0963-0070

Q. Do you know what position the Commander in Chief of the Army and the Chief of the General Staff held when Hitler announced his intention, in May 1938, to solve the Sudeten question ?

A. Yes. A conference took place in General von Brauchitsch's office in Berlin. On this occasion the Chief of the General Staff who was Beck at that time read a memorandum which contained a warning not to take this step for such a small part of the Sudeten territory and risk a way by reason of our very poor military and armed preparations.

Special reference was made to the very strong armed potentialities of the United States, and of which it was said that this potentiality could also become effective against us without America actually entering into the war. A warning was expressed against a war which seemed hopeless. Brauchitsch then said to us,

"If anyone of you gentlemen is of a different opinion, I wish you wou express it and tell me so because I should like to once more warn Hitler of this step."

All of us were unanimously of the same opinion. Thereupon, this memorandum was later referred to Hitler and the result of this step was that Beck was thrown out of office.

Q. What was the circle to which this memorandum was read at that time ?

A. So far as I remember, in the presence of the majority of the commanding generals. I don't know exactly, however.

Q. And the commanding generals who were present were of the same opinion as that expressed in the memorandum ?

A. Yes, even General von Reichenau, a fact which surprised me. General von Neb was also present, and he is also here in prison.

Q. Did the higher military leaders count on Hitler's declaration after the Munich agreement that he had no further aspirations to any other territory or did they think that he would try to get the rest of Czechoslovakia

A. We believed that at last this nightmare had been taken from the German people and its military leaders. I can add the following from my own memory.

H0963-0071

When my Army entered the freed Sudetenland, Hitler was present one day and told me, "I feel as free and carefree as I have never felt before. As I have rarely felt." From this statement, I also drew the conclusion that the affair was settled.

Q. When did you first learn of any concrete intentions of Hitler to solve the Corridor question ?

A. I remember that once in former years, I do not remember which year, it was, Hitler once stated in connection with the Corridor question. "The Corridor question is a matter of money so that it is not worth any war." Of the possibility that this Corridor question might lead to an armed conflict with Poland I learned for the first time in May, 1939. I was no longer in office at that time but I was ordered to come to Berlin because in case of a conflict I was to take command of an army group and the orders connected with such a command were issued in Berlin. But, I was told at that time that that was only in case a war became necessary.

Q. I should like to refer again to affidavit No. 5 of General von Blaskowitz, USA Exhibit No. 537. I quote the following:

"Since 1919 and especially since 1924, three essential territorial questions took on Germany's attention. These questions concerned the Polish Corridor, the Saar and Ruhr districts, and the Memel district."

In paragraph two, Blaskowitz goes on to say:

"As long as the entire staff of German front officers believes that of these three questions, the question concerning the Polish Corridor is especially important then it will one day have to be solved by armed steps if necessary. About 90% of the German people share this opinion with the officers concerning the Polish question."

I want to ask you now, whether this statement by General von Blaskowitz is right, that is, whether the opinion was expressed by the officers of the German Officers Staff that the Polish question would have to be solved, if necessary, by armed force ?

A. I cannot give information as to this fact. As I said before, the belief was always expressed that the Corridor question could be solved peacefully by a monetary settlement for example, but not by armed force. But of course the fact that one day the Corridor would have to disappear was also expressed. It may, of course, be thought that General von Blaskowitz, who

H0963-0072

was the Commander in Chief of Moravia and who had the Corridor, so to speak, at his very front door, had a more severe opinion concerning the question than we did who were in other parts of the Reich.

Q. Do you know anything about the fact that in the year 1938 fortification work was being carried out along the German Eastern front ?

A. Yes, for I myself was responsible for the German Frontier Sector from the Baltic Sea down to the Danube, and if a Polish attack had to be counted on at any time, especially against Pommerania and Frankfurt on the Oder, which is not very far from Berlin and also to Upper Silesia, it was advisable to put up preventive fortifications.

H0963-0073



As Commander-in-Chief, I thought more and more of defensive measures. There was a small group of fortifications in the center of East Prussia, the so-called Heilsberger Triangle, in case Poland and Lithuania wanted to occupy the province of East Prussia.

Q Who ordered the building of these frontier fortifications?

A Our higher superior military offices.

Q What impression did this order make on the highest military leaders?

A The measure was absolutely sensible and necessary. As I testified yesterday, we were prepared and expected anything on the part of the Poles, and these fortifications made the possibility of defense essential and gave us also the possibility of saving certain troops for sort of a counter attack.

If, for example, the Poles advanced in the district of Frankfurt on the Oder and threatened Berlin, then an attack that was led from Berghof on the flank of the Poles might be successful under the protection of these fortifications.

Q Do you know if before May 1939 -- you just mentioned that a military plan existed for an attack on Poland?

A No, I do not know anything of this and I assume that this was the first plan.

Q I shall now turn to Hitler's address delivered at Berghof on the 22nd of August, 1939. Did you, at that time, by reason of this conference, have the impression that now war with Poland was unavoidable?

A No, I should almost like to say on the contrary. During this conference on the Berghof, Foreign Minister Von Ribbentrop announced that he would be absent in order to fly to Moscow to meet Molotov there. This treaty made us, the old soldiers, very happy and satisfied us very much. Good relations with Russia was considered very important within the Reich's sphere.

Official delegations of officers from Russia and from Germany visited one another. This pact with Russia meant a very big threat

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to Poland and we now believed that Poland would not dare to wage war. We left the Berghof feeling that now the war that was going to take place was going to be a flower war, the same as it had been in 1938 in the Sudetenland. We were strengthened in our opinion that war would be avoided by the fact that on the eve of the troop concentration, all movements were suddenly stopped. Such steps also took place before the invasion of the Sudetenland, and therefore we thought a new peace action was afoot. Mussolini's name was mentioned in this connection.

Q After you left the Berghof on 22 August 1939, did you speak with any of the other Commanders in Chief after the conference as to the impression it left on them?

A Not so far as I remember. I left the Berghof together with my Chief of Staff and drove with him by car to my headquarters in Neisse.

Q When did you learn of the intention to occupy Norway?

A The fact that the occupation had been carried out was the first official information we received through official channels. In this connection I should like to mention a Hitler order of the year 1939. This order stated that no officer and no office was to be informed of any military operation to any greater extent than absolutely necessary, and if informed at all, as little as possible. This order had to be posted on the wall of every office and every bureau. This led to the fact that before the French Campaign I, myself, did not know exactly what mission my right hand neighbor had been entrusted with.

Q What was your opinion concerning the attack of the Western powers and please mention also your opinion concerning the observations of neutrality of Belgium, Luxembourg and the Netherlands?

A During the Polish campaign we were surprised that our very small troops were not attacked by the French in the West. Moreover, the opinion concerning the neutrality of Belgium and the Netherlands was very much doubted within the higher military circles. We were informed of this fact when my Army group was transferred to the West

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The so-called West Wall, the Siegfried Line, that protected Germany's borders stopped somewhere in the vicinity of Aix la Chapelle, and further to the North the approach for an attack on the Rhine and the Ruhr territory was practically open to the enemy. Higher authorities believed that if anyone intended to attack, they would not attack the fortification, but go by the round about route to the North. Therefore, first a sort of defensive troop concentration was planned up at the top and beyond the Rhine, and probably carried out. My Army group was stationed near Coblens on either side of the Moselle.

Q What was the attitude of the Commander in Chief of the Army, Von Brauchitsch, concerning the Western offensive?

A I do not know exactly, but he probably shared the opinion that the others held, and that is, why wage an offensive war, why not wait until the others attack? You might perhaps ask him because he is at hand. I don't know about this.

Q Was this the most popular and widespread opinion within the circles of the higher military leaders?

A Within my Army group, that is the Army group to which I could testify, we were of the opinion that for God's sake, no offensive war during the winter.

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Q When did you learn of Hitler's decision to invade Yugoslavia and Greece?

A Only after the invasion had been accomplished and through the fact that ouf troops had been concentrated in Rumania and Bulgaria late in the spring of 1941. Of course, we also did not know what wasintended here.

Q And of the invasion of Yugoslavia and Greece?

A Through the accomplished fact.

Q When did you learn for the first time of Hitler's intention to attack Russia?

A In the course of the winter of 1940 and 1941. A plan had been worked out by the Commander in Chief of the Army, as I later found out, from higher orders according to which a war with Russia would become inevitable, and that it was best to prepare for the possibility of a war after the question of Finland and the Baltic countries had been settled. Hitler's final decision to attack Russia was, I believe, told to us on the occasion of a Fuehrer conference in Berlin in March, 1941. The other preparations that I mentioned just now were also called preparatory and precautionary steps.

Q What do you mean by precautionary steps?

A I mean, suppositions and suggestions and plans on how things should be carried out if the necessity arose.

Q Do you mean that these preparations were being carried out for a case that might take place sometime in the future?

A Yes, that is what I wanted to say. If anyone counts on an attack either im the near future or at a more distant date, then he will make certain preparations and considerations and meditate on this, and these are the so-called precautionary measures that I spoke of . The matter of special methods.

Q What did you think of an attack launched by Germany against the Soviet Union?

A I must say that all of us shared a certain fear concerning such an attack for we had all been very glad when the Treaty or Pact with Russia had been signed. I myself had spent four years in Russia during the first World War. I know the Russian well; I know how brave he is; I know his strength and I also know that terrain that is impossible for us to conquer

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is not impossible for the Russian. I should also like to add that the year 1812 was in all our mind's eye as a warning torch. No book has been read so much as the book by Colincour concerning the year 1812. And as I said before, the thought of a war with Russia was an uncanny and unpleasant one to us.

Q How did Hitler present the military situation to you and what did he tell you particularly as to the information he had received on Russian troop concentrations?

A He told us that along the entire Russian Front very great troop movements were taking place in the direction of the border, that numerous airports had been newly established and enormous numbers of tanks stood prepared. He maintained that he had received this information particularly via Japan and Japanese military attaches so that he saw a threat coming up on the horizon and he wanted to get ahead of this threat.

Q Then you mean to say that Hitler presented war with Russia to you as being an unavoidable, preventive war?

A An unavoidable war.

Q Did Hitler listen to you or to other military leaders on this question before he made his final decision of attacking Russia?

A He did not listen to me and probably also not to my comrades. I believe, on the contrary, that the Commander-in-Chief of the Army was given instructions to work out such an order and was not questioned about it.

(A recess was taken)

Q Witness, you just stated that the Commanding Chiefs of the Army Groups went into the Russian Campaign reluctantly and with fears?

A Yes.

Q I would like to ask you what did you notice, when y u entered the Soviet Union with the Armies, concerning the preparation of the Soviet Union for a war?

A The opposition of the Polish-Russian Frontier was not as hard, not as strong as anticipated. It showed that the Russians used the same kind of strategy that we used and that is a weak defensive front line but strong forces in the rear for a counter attack. We found out that that was right later on. The opposition, through counter attacks, especially

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by tanks or armored vehicles, was terrific. A great number of new airports were in the border area; a great number of armored troop training points were found in the border area; a number of new streets, perfectly good streets in very bad territory, which had not been marked on our cards, were found through air pictures. The Russian maps that we captured from time to time went far into Silescia. That is about the most important.

Q I would like to ask you now a few questions concerning one of the main points of the Prosecution which stated that the military leaders at the beginning of the war decided that they would fight this war on a new basis, against the past rules and rights of war.

A That is not the case. I can swear that with a holy oath. Just the opposite. Just before the beginning of the offensive we were told by Hitler at his field headquarters concerning Russian Commissars, an order which, to put it mildly, suprised us very much. Hitler stated that the war had to be fought hard and rough because the Russian was too rough and he would fight a rough and hard war. The Commissar is not a soldier and therefore was not to be treated as a soldier in case of capture.

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Q Was that the opinion that Hitler gave you?

A Those were his statements. We were very surprised at this but we supposed that Hitler, before he gave any orders concerning the International rights, would get informed personally with these International Rights. After this discussion we spontaneously went up to Brauchitsch and told him that a thing like that was not allowed to happen. We told him that we would not do it nor would we allow our troops to do it. Whereupon Brauchitsch, who was of the same opinion, stated that he would do his best to have this order rescinded. We drove away and my Commander-in-Chief just said that "We just won't do it." I know that this opinion was carried through to the lowest groups. No case was ever reported to me where the troops ever carried out this order. Shortly after there was a very strong order from Brauchitsch ordering the troops to fight the war according to the International Rights. That was considered by us to be a quiet repudiation of the Fuehrer's order. Later on, I was not East any more at that time, I heard that this order was then rescinded in the East. I want to point out especially that the hard combat against the hard-fighting Russians was harder than that against the soft French but that it was carried out on a basis of International Rights and Rules.

Q I have a few further questions concerning your statements. This meeting at which Hitler presented the so-called Commissar Decree, about when did that take place?

A Either May or June 1941.

Q How did this discussion go on? What I want to know is this-- did Hitler as usual make his speech and then immediately leave the room, or did he remain and talk to the various Commanding Chiefs?

A If I remember correctly he disappeared like a flash and all of us went to Brauchitsch and told him that this just could not be done.

Q Do you know of any especially energetic protests by the various commanders-in-chief against this order which had been given to you verbally?

A I heard that Field Marshal von Kluge, who at that time was in charge of an army, a very impulsive gentleman, made a most emphatic protest concerning this.

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Q What were the contents of Brauchitsch's order which he issued later, as Commander-in-Chief of the Army, in order to play down the severity of the Commissar Order?

A As I stated before, this was an order to fight this war according to the International Rules and Regulations; that the discipline within every outfit of the Army concerning this fact had to be at the utmost; and that any violations of this order were to be disciplined severely. That was about the idea of his order.

Q What was your opinion concerning the treatment of the enemy during battle and in case he was captured.

A I do not want to answer this question since the answer is as it has to be, of course, if the person asked is a halfways decent officer and soldier. I want to state that in former years, when I was instructing recruits we taught these recruits concerning the Orders of the Geneva Convention as far as they were concerned, that is, treatment of prisoners, respecting of the Red Cross, treatment of wounded prisoners, and so on and these Rules of the Geneva Convention were attached at the end of the instruction book of the Army.

Q What was your action towards the civilian population of the Occupied Territories and also the action of your troops?

A In the sector which I commanded in France there were good relations between the population and the Army. The same was the case in the East; while I was in the East the relations between population and Army were good, especially in the Ukraine. The Ukrainian seemed, I almost want to say, a warmhearted fellow who desired friendship and companionship, a fact which I know from the last war. I will mention a few single details later on.

Q Could you give a few examples?

CAPTAIN TUBRIDY: I think we can eliminate these details, Dr. Laternser.

Q If there was any kind of violation on the part of the troops concerning their conduct against civilians, did you enter into the matter of disciplining these men with all measures available to you?

A As an Army Group Commander I did not have the power to court martial.

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However, I know that in the various Armies any kind of violation of these actions against the civilian population were disciplined before army courts martial with the strongest severity. The slogan, "Who plunders will be shot" could be seem almost everywhere one went.

Q Do you know of ay cases where German troops carried out reprisals against unorthodox activities - activities by the enemy which were not according to the International Rights and Rules?

A I cannot remember any such case.

Q Now I would like to ask you a few questions about the SD Einsatzgruppen. Do you know any detailed information concerning the roles, duties, and activities, of these Einsatz Groups in the East?

A No. All this happened in the rear areas and was not under my command but more or less under the command of Staff Rosenberg.

DR. KEMPNER: May I interfere with one little remark? I would like to have a more literal translation because it is very important what the General Field Marshal said; there is one word I especially stress.

(The German court reporter read the witness's reply to the last question.)

DR. KEMPNER: I am just asking for a more literal translation.

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INTERPRETER: (Changing interpretation of reply to the last question) No, all this happened in the rear areas and was not under my command. That was handed over to the Kinder Rosenberg later on.

BY DR. LATERNSER:

Q Were any such SD Einsatz Commandos under your Army Group ?

A No.

Q What did you hear concerning these Einsatz Commandos at that time?

A I just remember that near one of my headquarters some people were supposed to have been shot. That was already outside of my circle but I was that far back with my staff headquarters at that time. I thereupon prohibited that any soldier would go watch such a thing.

Q Did you hear by whom these executions were carried out?

A The SS.

Q The Prosecution presented a document, USA Exhibit 560, Affidavit No. 16, which was written by General Roettiger. As you probably have found out in the meantime, these SD Einsatz Commandos actually did carry out mass executions of Jews and these mass executions were, without a doubt, one of the main duties of these Einsatz Groups. General Roettiger stated the following in his affidavit, and I quote: "Even though it was generally known what the duties of these Einsatz Commandos were, as it evidently occurred with the approval of the highest Army Leadership....." I want to ask you now, did you have any knowledge of the duties, as I described them to you, of these SD Einsatz Commandos and were they carried out with your approval?

A No. I never knew anything about it and never approved anything of that sort. The only case that I know of is the case I have already mentioned as having happened near my headquarters. Of course one heard stories that were supposed to have happened, not during the Campaign of Poland but during the Military Government of Poland. We heard these stories. Whether they were true we naturally could not prove.

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Q In connection with the supposed connection between the Army and the SD Einsatz Groups the Prosecution has presented a further document, Affidavit No. 18, USA Exhibit 563. This affidavit is by an SS Leader Rhode, who made the following statement. I quote "As far as I know, these SD Einsatz Groups were within the Army Groups and were under the direct command of these Army Groups both tactically and in every other matter."

A That is not true. We never had anything to do with these people, either on duty or off duty, not in the East or in the West. They were all under the orders of Himmler.

Q The witness, Ohlendorf, stated before the Court that Himmler had told him in April 1945 that Commanders-in-Chief were informed of the plans of extermination of the Jews. Ohlendorf showed, as one of his proffs of evidence, the fact that before the Russian Campaign started, Hitler, in a speech to the various Commanders-in-Chief, had told them of the proposed liquidation. Field Marshal, you were present during all the discussions between Hitler and the various Commanders-in-Chief before the Russian Campaign. I ask you, did Hitler, in his speech to the Commanders-in-Chief, ever express his intention of annihilating or exterminating the Jews?

A No, he never would have said that to us since this entire thing was under the cover of "Secret Measure."

RUSSIAN PROSECUTOR: I am very sorry to interrupt but I must say that Dr. Laternser has probably made a mistake in referring to the affidavit of Ohlendorf. Ohlendorf referred not to an order of Hitler but to an order of Himmler about the extermination of 30 million Jews.

DR. LATERNSER: Yes, but I want the question to remain as I put it since any orders from Himmler to the Commanders-in-Chief had to go by way of Hitler who was, of course, the Commander-in-Chief of all Armed Forces and if there was such an order given to the Commanders-in-Chief, then this order would have had to come from Hitler, the Commander-in-Chief of the Armed Forces.

Q Do you know of an agreement which, according to a witness

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called here Schellenberg, was made between Heydrich on one side and the General Quartermaster on the other side, and by which the Army Groups were supposed to have been informed of the duties and activities of the SD Einsatz Groups?

A Of course I did not know anything concerning this agreement as I had nothing to do with Wagner, the General Quartermaster. As I stated before, this entire Jewish operation was under the cover of a Secret Order.

Q Did you know the Quartermaster General, Wagner?

A I just know him a little bit. He was hanged because of the 20th of July.

Q Did you ever hear of an order, according to which 30 million Slavs were supposed to be exterminated?

A No.

Q Did you have any knowledge of the now well known activities within concentration camps and the activities of the Gestapo?

A No. I would say most all of us, including almost the entire German people, heard of these cruelties only through the movies and the press releases of the occupation troops. We knew of only two concentration camps. One was Oranienburg which was the show camp which was presented to the visiting foreign diplomats to show how good these concentration camps were. Then there was Dachau, which was known among the people not as a concentration camp but as a concert camp and that people were sent there who had made unwise statements or had become unpopular, such as, for instance, Father Niemoeller. Two friends of mine who are here in

prison right now, Halder and Falkenhausen, were one year in Dachau and did not have the slightest idea of what was going on there.

Q In the documents which the Prosecution are presenting or have presente it is shown that during the battles of 1941 in the Russian Campaign, thousands of Russian Prisoners of War were supposed to have been killed or shot..... First of all I have a few previous questions.

A You said "killed" - probably not the right translation. That should be "died".

Q First a few previous questions. What did the Army Groups have to do with the Prisoner of War system ?

A Nothing. We did not have any Quartermaster units and we did not have anything to do with the supply and reinforcements. We were purely and operational staff.

Q What did the Army Commanding Chiefs have to do with prisoners of war - the commanding groups of the Army, what did they have to do with the prisoner of war system ?

A Army Groups had nothing to do with prisoners of war. The Armies had to send any prisoners of war that were captured within their area to the rear areas and from these rear areas they were transported either to prisoner of war camps or they were sent further back, may be to the Homeland.

Q In other words, these Armies had only to concern themselves with these prisoners of war for a short time ?

A Just to collect them and send them back as soon as possible, the same as the Army Group who collects all of them and sends them as fast as possible towards the rear without any delays.

Q What were the reasons for the deaths of so many thousands of prisoners of war during the fall and winter campaigns in 1941 ?

A There were many reasons. It is true that many of them died of hunger and over-exertion during the winter. In a so-called "kettle battle" meaning encirclement battle, the troops have no food except what they carry with them and they were already pretty nearly starved when that encirclement was completed The number of prisoners of war amounted sometimes up to hundred thousands and sometimes was stronger than the Army which captured them. The German Army was very short in supplies and even though trying could not possibly get enough food together to supply those poor prisoners of war. In addition to that,



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terrible supply conditions existed at that time, terrible railroad conditions, road conditions which worsened the situation generally. It was tried to give these people things from the fields, like sunflower seeds, and other things that they could collect. In my opinion one of the main reasons for that mass dying was the terrible winter conditions, they could not be brought under roofs and had to stay outdoors all that time. That is about what I have to say to that question.

Q Have you been able to ascertain that everything was done by the Commands concerned to alleviate that particular situation?

A I have not been able to ascertain or did not try to ascertain whether things had been done the way they should have been but I am sure that was the case.

Q Could you say or could you ascertain that during that Campaign of 1941 the Russians themselves, during their retreat, destroyed things in a large way ?

A During the advance of my Army Group very little destruction could be noticed until we advanced into the more industrial sector around Dnjepr, Saporoshje, Kliberack, and so on. I recall specifically the destruction of a large dam near Saporoshje. After the crossing of the Dnjepr the Russian method of long delayed fuse dynamiting became more and more apparent. A great deal of damage and misery was caused with these delayed fuse detonations. Even long after the fighting had ceased these detonations took place through radio-active detonations. We had, therefore, to examine every building that we intended to occupy for such underminings or charges. Particularly numerous demolition charges were found in Kiev and Kartrov. In my headquarters, Poltava, I am happy to say there were none.

CAPTAIN TUDRIDY : Dr. Laternser, may I ask what is the point of this line of testimony ?

DR. LATERNSER : The Prosecution has asserted, particularly the Russian Prosecution, that the Germans undertook a great number of demolitions in their advance and I want to ascertain or show that a great number of these demolitions were done by the Russians in their retreat before the German Armies ever reached those areas.

A The enemy had made no use of the so-called policy of "scorched-earth" during my time in the Russian Campaign.



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Q Were there extensive demolitions at Stations and Railways ?

A Comparatively few. The main difficulty as far as rail transport was concerned was not so much the demolition but rather the reloading and rechanging from Russian gauge to Western European gauge railways, which I also mentioned before, in connection with the starving prisoners of war.

Q In that Molotov Note of 27 April 1942, in the German text on page 13, it was stated that you, Field Marshal, had given the order for the Russian prisoners of war to clear the mines and that was not only referring to Russian mines but German mines as well. Will you please give an answer or make a statement to that ?

A In that order, as I recall, the town of Kiev is specifically mentioned and, if I remember correctly, also a regimental number. I did not give such an



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order as an Army Group Commander. If it had been given it would have been given by an Army Commander. The Army which was standing near Kiew, and I believe that was the only sector where mines could have been laid, was the Sixth German Army. If Molotov is mentioning my name he may possibly have confused that with Reichena instead of Rundstedt.

Q The witness, Rhode, in his Affidavit #18, USA Exhibit 563, states as follows at the end of this affidavit: "I am of the firm conviction that an agreement of all Field Marshals would have resulted in a changing of the missions and methods used." This particular statement I have just read refers to the methods used in the Eastern, that is the Russian Campaign. Since the SS-Fuehrer Rhode has had occasions to express his views on the subject I would like to ask you to give your views.

A Rhode is mistaken. A protest of all the Field Marshals against an order of Hitler's was absolutely unthinkable. This would have given Hitler the opportunity to remove some of the high-ranking officers from the Army Groups and replace them with SS Leaders. The leadership methods within the army would have worsene Nothing would have been improved by such a protest. The only possi ble thing would have been a sort of quiet sabotage - the same way as it was done with the Commissar Order of Hitler. I think it is impertinent of an SS man to dare to make such a statement about a Field Marshal.

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(The Commission reconvened at 1400 hours 19 June 1946.)

VON RUNSTEDT - Resumed
DIRECT EXAMINATION - Continued

BY DR. LATERNSER:

Q I should now like to ask you some questions relating to the period of the German occupation of France, which officers were responsible for the peace and order?

A The military commander at Paris was responsible for peace and order. He was responsible for the occupied part of France and for the rest of France the government of Petain was responsible. After it became necessary to occupy the unoccupied part of France, all of the military commanders, besides Petain's office, was also held responsible and he carried on this responsibility with a police staff of the SD.

Q Did Hitler himself give any instructions concerning the maintenance of peace and order in France?

A Do you mean as to the period where there was no fighting in France, at the time of quiet in France?

Q Yes, I refer to that period and to the later period.

A During the time of quiet in France the military commander, to whom I could not issue instructions, received his orders by means of the channel of the OKW. When the threat to peace became more acute with the increasing of the resistance movement in Southern France, Hitler also made use of the Commander in Chief West, especially in the winter of 1943- 1944, to help maintain peace and order. He did so especially because the resistance movement had become an enormous danger to the troups stationed at the Mediterranean shores and especially so since the French police and the troops of military commanders had become completely powerless toward combating these resistance movements.

Q After the position of the Military Commander West had also been secured in the maintenance of peace and order did Hitler give any instructions concerning the issuance of orders in this

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respect in your turn?

A Hitler continually accused us of a continual slackness and indulgence toward the Petain government and threatened to employ SS troops under the leadership of a SS commander. Finally in March 1944, while I was on leave, an order of Hitler's was issued to my Deputy Sperle of the air force to take more energetic methods now concerning the combating of this resistance movement that has taken on enormous strength. I might mention in this connection that the number of resistance movements was greater than the total number of of all divisions stationed at the Mediterranean coast. By reason of this Hitler order my staff under Sperle worked out a draft concerning these questions and transmitted it to the military commanders. This draft

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or order was returned after examination and a few changes had been made. Thereupon, it was once more sent to the OKW of Hitler, and was slightly altered there and then returned. The precautionary measures were necessary because there was a new man on our staff who had had international law training. When I returned from my leave that order that had been completed in the meantime was submitted to me.

Q What was the contents of this order?

A This order said that the severest steps were to be taken, and also, of course, within legal methods, against this enormous resistance movement. In the meantime also a so-called army, a secret army had been composed beside these bandit units, and moreover within the main bandit territory parts of the French police had by compulsion gone over to the side of the bandits. The French police was much too weak and also insufficiently armed, although we had all of this help. Ever since the time when the secret army had been supplied by air with heavy arms and leadership, I should like to interject very briefly the conditions that had in the meantime arisen here, continual attack and sabotage on the rail lines. Within one night two explosive attacks or plots were made on my personal train. Traffic on the streets and roads was only possible by means of a so-called convoy system as was carried out on the high seas. Small garrisons of troops were encircled for days at a time and cut off from any means of communication. In the middle of the day marching troops for example were attacked and shot at. All telephone communications were interrupted. Only wireless communications were still possible and some other things. This was an impossible situation for troops to cope with facing defeat and having in its rear this enormous resistance movement. I repeatedly begged the old Marshal Petain, to whom I had I might say, an intimate relationship, to warn his population not to take part in this resistance movement in any case, and I did so only in order to preserve the civilian population from having to undergo acts of reprisal. For a very long time I accepted the losses my troops sustained, I might say too long almost, only out of consideration for the French civilians and in order not to cause Petain any difficulty. A short time before the invasion I once more begged Petain to address his people on the radio and to warn them that in case of an invasion they should behave as wisely as possible.

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As difficult as it was for me to take this action, it had become absolutely necessary arising out of the military resistance to take against the resistance movements. I do not believe that there would be any army in the world that in a similar case that would not have taken similar steps. Wherever illegal acts did take place as in the case of Oradour by an SS unit it was necessary, of course, to take severe action against this. I might refer to this later. Such an illegal guerilla warfare that women and children who are innocent are also concerned and suffer; when during such guerilla warfare towns are used as places from which to shoot and carry on a bombardment, and it cannot be prevented just exactly as in a legal war whenever a town or place is defended from an attack and there are still civilians in this town, any soldier would know this.

Q I asked you about the contents of this order.

A I don't remember the contents. I only know that severe measures were asked of us, perhaps the document itself will show. I do not have the document.

Q Just one more question concerning this testimony. You testified a little while ago that you as the Commander in Chief West were informed that a special SS leader would be employed against partisan movements, what was your attitude when you heard of this announcement of the employment of an SS leader?

A I opposed it and rejected it and said: "Send me more divisions for my rear lines and peace will be established of its own accord." In order to preserve the honor of the SS security police, all military commanders, I

had to add here they always cooperated with Petain and his government, and any excesses which were committed were not committed by them.

Q Was the fighting carried on in spite of the position that you have just depicted, carried on as carefully as possible?

A Yes, as far as possible the fighting was carried on carefully. For example, we did not destroy whole localities, towns and villages by raiding them and through whole areas by bombarding them, but we only carried it out on individual places. We used no planes, and few tanks.

Q What about the artillery?

A Very little artillery. We never bombarded a whole locality but only one objective, that is, the house from which the shooting was being carried on.

Q Was the locality of the resistance movement orgnized?

A A short time after the invasion but I don't want to bind myself to the time, a radio message was broadcast by Eisenhower in which he stated that members of the Frenchresistance movement was now to be considered legal troops. We transmitted this immediately to the Fuehrer and asked him for his decision and his decision was a negative one.

Q Was this attitude changed later on?

A Not as long as I was there.

Q Did you hear of any alterations concerning this status of legality after you left?

A As far as I remember the French who had fought in Southern France and further advanced toward Alsace Lorraine was recognized as legally recruited, and that is the condition I found when I returned.

Q And what about the resistance movement in other parts of France, do you know anything about this?

A Apart from individual attacks that had always taken place since 1940 there was a relative peace and order in the remaining parts of France, except as far as Britogne was concerned.

Q Witness, I should now like a question on the regrettable incident at Oradour, just one preliminary question. What do you know about the event?

A We heard via the channels of Vichy Government with whom we had always



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a German liaison and with whom we were in a continual exchange of information of the battles with troops and that parts of the second SS Division in Oradour, and that a church had been set on fire in which women and children had taken refuge. This division was on the march from the Southern part of France to the Normandy front and in continual fight with illegal troops. I reported this affair immediately to the OKW and asked the Commanding General, under whose Command this SS corps was, to have this affair investigated immediately and to report the findings to me. I myself could not order a legal investigation to be made because in this respect the SS was not subordinate to me but directly subordinate to Himmler.

After I had left my successor Field Marshal Kluge once more asked for information on the affair but I don't know what the results were. At any rate the incident was a regrettable one which might have been avoided.

Q In order to clarify this point in which connection was this SS Division subordinate to the Commander in Chief West?

A This is a very complicated affair. This second SS Division in France was a reserve of the OKW. When I needed this unit in Normandy as a fighting troop I had to have them released by the OKW for that purpose and then this SS division was only subordinate to me as far asbattle action at the front was concerned. I was not able to take any disciplinary measures or pronounce sentences. I could not order any leaves and above all I could not order any legal investigations. I was just as powerless in respect to this division as I was towards units of the air force.



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Q That means that the only task you had with this SS division would be a military one?

A Yes, but, of course, to this also belonged the combatting of the illegal movement.

Q When this incident at Oradour took place, did the SS Second Tank Division have any orders from you?

A Yes, this division was to march as quickly as possible northward and there to be entrained. All train connections had been destroyed in the lower part and communication by train was only possible beginning with the Loire.

Q After the events in Oradour you just testified you asked the Commanding General of the Corps to investigate and make a report. What else could you have done in this affair?

A I couldn't do any mire than I did and report to the OKW. May I add something? The Commanding General of this corps to whom this SS division was subordinate was away engaged in heavy fighting in Normandy and a considerable time would have elapsed for the investigation.

Q What do you know about the enemy commando actions in the affair Sarc?

A On this small English island an engineer platoon had been temporarily stationed in order to lay mines there. This platoon was not stationed at the base as it should have been but outside. During the night this platoon was attacked by a so-called commando action. The commandos had blackened their faces and wore no uniforms. The engineers were thrown out of their beds, chained and dragged to the coast. One man because he did not want to enter was shot. Two others were able to escape and reported the incident. An investigation that had been ordered by Hitler disclosed the fact by means of a photograph that this man had been shot while he was chained. This incident must be on file with the files of the OKW.

Q Do you know the so-called commando order that Hitler issued on the 18th of October, 1942?

A Yes, I know this order. It applied to the whole world, that is, it applied to all of Europe.

Q What attitude did you take towards this order?

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A In my opinion if commandos behaved properly they were fighting troops similar to the parachutists. This order of Hitler just like his Commissar order was sabotaged not only by us but also by the SD.

Q Did you ever discuss this order with the Commanders subordinate to you?

A I don't remember.

Q Do you know of cases or were cases reported to you where the Commando order was applied?

A No.

Q Were any prisoners taken in the Commando Befehl action?

A No.

Q One question concerning the deportation of labor. Was this labor recruitment in France promoted by higher military officers?

A No, to the very great disgust of Sauckel it was not, although it had been ordered by the Fuehrer, we always refused to do so, under the pretext we did not have sufficient troops for this. I had no desire to increase or strengthen the under-ground movement by means of the orders of these fresh young exalted people.

Q Did you warn the OKW by official channels concerning these labor recruitments?

A That was not a concern of mine, that was a concern of the military commander who always called on us so that the people would not make any difficulty.

DR. KEMPNER: May I suggest that we translate these words literally.

INTERPRETER: I don't think I can.

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CAPTAIN TUBRIDY: Would you write them out, Dr. Kempner, and let us hav them.

DR. LATERNSER: Could we take a short recess at this time ?

CAPTAIN TUBRIDY: We will take a short recess for ten minutes.

(A short recess was taken)

BY DR. LATERNSER:

Q. Field Marshal, have you tried to ease the situation for the French civil population ?

A. I should like to be very brief on this subject because it looks like praise if I talk about everything. Upon request to the Old Field Marshal Petain I spoke to the Fuehrer on several occasions to find out what France can expect by the ending of the war but without success. I achieved some success with things for the French railway employes, for example, liberation of relatives, additional food, etc. In 1940, we have helped deportees with food and have helped them in their transportation back. When the air attacks, that is, Allied air attacks on Paris and environs, became very strong, we have supplied troops for aiding purposes. We have fed the poor population in my own headquarters every noon. We have seen to it that coal was transportated to Paris in spite of bad rail connection even while the invasion was already in progress and there were only seven trains that could run in entire France. That is about sufficient I think.

Q. I will ask no further questions on that point. What do you know about Hitler's order to include Paris in the fighting zone ?

A. I only know, although I was not Commander in Chief any more at that time, and I heard from my successor, who is also here, that this order has not been followed and no bridge has been demolished.

INTERPRETER: Correction - my old Chief, who is also here, I have heard about this from him.

BY DR. LATERNSER:

Q. Now a few questions regarding the Ardennes offensive. When did you hear from Hitler for the first time about his intention to start that offensive in the winter of 1944 ?

A. I believe in the beginning of November.

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Q. Did you know that preparations were started in the OKW already in September ?

A. No.

Q. Didn't you notice that in your command already changes or movements of divisions took place, the reason for which you could not see ?

A. These movements of divisions took place only when the order of Hitler was already in my hands, that is to say, in November. In September, Hitler still wanted us to attack near Nancy.

Q. Were any of the Commanders in Chief outside of those who were actually concerned with these movements notified about these intentions ?

A. Only the Army Corps Commander, Model, commanding generals and division commanders concerned were notified. I myself had to notify the Commander in Chief of the army coprs way down south because I had to take several divisions from him and otherwise he would not have understood.

Q. In the army corps sector, Malmedy to be specific, 100 American soldiers have been shot. Have you had any reports about this particular inciden

A. I myself have heard about this incident by way of an enemy broadcast through my staff and immediately called on my group Model to get the detailed report on this. At the same time I received a request from the OKW to make such an investigation as they had heard the same broadcast. At the present time there is a war trial at Dachau against the leader of the SS who was concerned with this action.

Q. There has been a sitness here in this trial in Nurnberg by name of von der Essen who testified here concerning this matter, and in his deduction he states

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that the order from higher up must have been given. How many discussions concerning the Ardennes offensive have taken place?

A With the Commanders previously mentioned, and they were divided into two groups, only one such discussion took place. With my staff several of them as my headquarters was close to one of the Fuehrer.

Q During these discussions was the subject of shooting of prisoners at any time discussed or was any such order requested?

A On the contrary no such order was given. On the contrary he requested that as many prisoners as possible should be made for propoganda purposes for the German people.

Q In other words, the deduction by this witness Von der Esson stating that prisoners of war whould be shot and the civil population should be treated harshly has never been given?

A That is a deduction which is absolutely incorrect.

Q The high military leaders who have been accused of prolonging the war and propagating the continuation of a hopeless war, these defendants have been accused of such practices, can you make any statements to that effect?

A One could talk about this matter for a long time but I will be very brief on that subject. Since the Yalta conference there was no hope for the German people, whether Hitler was there or not. The German people, and justifiably so, believed it to be a fight for their existence. We military leaders had to hold out to the last according to oath and to be faithful to our country, and, therefore, could not, through the removal of Hitler upon our part, end the war. Aside from the fact that such an attempt would have been absolutely hopeless due to the general attitude of the army, such a man would have gone down in history as one of the biggest traitors of his country because the German people through a peace of that sort would have had no advantages compared to now. That is why I condemned also the attempt of assassination of the 20th of July. That ought to be sufficient.

Q Didn't you attempt to convince Hitler to end the war

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because there was no more hope of success?

A Yes, in a certain way we have tried that, that is to say, Field Marshal Rommel and myself. That took place at the discussion about three weeks or rather two weeks after the invasion started near Soissons, to which discussion the Fuehrer had come. At that time it was already clear that the invasion was a success and could not be any more remedied. We told the Fuehrer at that time something had to be done, that is to say, in a military way, meaning away from the coast where nothing could be done any more, but also in a political way, whereupon the Fuehrer went out of the room and Colonel General Jodl said it should have been another Field Marshall who should have told him that. A similar indication we gave him at Obersalzberg toward the end of June. When I returned to my headquarters I was relieved of my command by a very polite letter in consideration of my health.

Q Now we will come to the next question. What possibility existed for a high military leader to resign?

A Towards the end of the war when events took an unfortunate turn for Germany, let us say, from the Stalingrad period on, an attempt for a high military leader to ask for dismissal on his own accord was as good as impossible. Aside from that there was a Fuehrer order of 1941 which stated that no High Commander could resign his position as well as no ordinary soldier could say: "I am not continuing." I have to return to my own resignation during the winter of 1941. The fighting near Rostov of my tanks only made it necessary for them to retreat towards a river. During the movements of these armies towards that river a telegram arrived from the OKH, behind which really was Hitler, stating, no, this army cannot retreat, but they have to remain where they were, that is forward. I answered that

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telegram from the OKH stating that we had contemplated this move toward the rear for days and have reported it. Please cancel this order. If this is not done I must assume that there is no more confidence in my person. Please take somebody else. The same night an answer arrived stating that your application has been approved and another Commander in Chief will arrive. Hitler himself flew down there, that is to say, towards the Azog Sea and convinced himself that we were correct with our reports and that his order was wrong. He flew back and had a conversation with me at Poltava. He regretted his decision in a certain way to have sent me away. We quit occupying it six weeks later. I had represented him at the funeral of Field Marshal Von Riechenau and in the name of the German people a big donation in money on the occasion of my birthday and in March 1943 I became Commander in Chief West, which was a sign that my resignation was not taken the wrong way by him. I want to repeat that at that time Germany was not as yet in danger, under which circumstances I would not have taken the step, although later on I contemplated doing so several times.

Q A resignation against the will of Hitler, would it have been possible at that time?

A That would have been considered a revolt and not only his own person but also his family would have suffered under such a regime of dictatorship.

Q I only mention this present of money because you brought it up yourself. Did you ever touch that money or what have you done with it?

A It might be of interest if I tell exactly what Hitler has given me. At my sixtieth and sixty-fifth birthday, each time I received a snap shot of Hitler in a silver frame, each time the same one, and in 1941 for my birthday I received the sum of 250,000 marks which I have just mentioned. That money was deposited under s special account until the collapse and has given me nothing but trouble in the payment of interest. For my 50th Mili-

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tary Jubilee, I received a picture of Field Marshal Moltka, painted by Lehmbach, which I have given to a museum, which hasn't been bombed out, and aside from that he gave me a pound of coffee which I do not want to mention here.

Q I want to ask another question which I forgot originally. How old are you, Field Marshal?

A Seventy and a half.

DR. LATERNSER: I have no further questions.

CROSS EXAMINATION

BY DR. KEMPNER:

Q You have just mentioned Field Marshal Moltke, was Field Marshal Moltke one of your historical military examples in the good old Prussian tradition?

A Yes, not only on account of his great knowledge but also on account of his great modesty.

Q You probably have read the book of Field Marshal Moltke during your years of military education, is that so?

A Yes.

Q Is it correct that other military writers like Frederick William, the First, and others, are known to you?

A Generally speaking I am not a good friend of military writers. I prefer novels, preferrably detective ones.

Q Do you want to say by that you have not studied the military history of Prussian Germany?

A No, I just want to say I did not read the tremendous military literature that is available.

Q Do you agree with the slogan of the Prussian General Staff which is usually presented to the officers, saying an officer owes obedience if it goes against honor?

A This slogan is unknown to me. The only one I know is that a General Staff Officer has to be more than he appears.

Q Now that you know it, do you agree with this slogan of William Frederick, the First?

A No.

Q Do you agree with the words of General Field Marshal Von Moltke, do you agree with the slogan that an officer has an entirely different responsibility before God and his Fatherland than just to his Superior?

DR. LATERNSER: I object to this sort of a question because it does not concern facts but more an opinion of the witness.

CAPTAIN TUBRIDY: It is a permissible question.

WITNESS: I have given an oath here and I won't let anybody take me under examination. I am not a recruit here.

DR. KEMPNER: Will the Court advise him he is a witness and has to answer questions under cross examination?

CAPTAIN TUBRIDY: Will you please instruct the witness if it is within his knowledge he is supposed to answer questions that are put to him.

BY DR. KEMPNER:

Q I am going to repeat the question to the witness, if a general officer has any other responsibility aside from the one before his God and Fatherland?

A I am of the same opinion as Field Marshal Von Moltke, one is responsible for one's doings before God and his Fatherland.

Q When Hitler came into power in 1933 did you work for it because you thought the army would come into it's own?

A We couldn't know that at that time. We were only concerned with the equality according to the Geneva convention or international law or whatever you want to call it. If Hitler ever brought us that we were glad about that. Why, I told you here yesterday.

Q Did you believe that Hitler could achieve that better than the Government before him?

DR. LATERNSER: I again object to this question because again



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no fact is being stated, but the opinion of the witness is being asked.

THE WITNESS: I am only too glad to answer the question.

CAPTAIN TUBRIDY: Yes, please answer the question.

A In my opinion, the matter of equal rights could only depend on the way of negotiations.

Q Were you in accord with the various theories that Hitler proclaimed? I mention one - the racial theory.

A Nonsense, you only have to look at the German race.

Q The theory of "Living Space?"

A The only wish we had was to gain our colonies and for enterprising people to have an opportunity again.

Q Were you also against the Lebensraum theory of Hitler concerning the eastern zone?

A We had enough living space, the only thing we wanted was the corridor connecting us with the Eastern Prussian zone.

Q How was it possible that you participated in the action against Czecho-Slovakia, Russia and Poland?

A I am a soldier. I have given my oath to my country, irrespective of who is head of the country and irrespective of political reasons as the Englishman says, "Right or wrong my country."

Q Were you never in conflict with the things which we talked about previously on one side and the aggressive purposes of Hitler on the other side?

A Absolutely. I have never carried such a burden. That I have to give to Hitler.

Q In the main proceedings here, the defendant Schacht has stated as a witness that if a man has broken his oath to us, we do not have to keep our oath to him. Do you concur with that opinion?

A I do not know what Mr. Schacht meant. Who broke the oath?

Q Schacht meant that Hitler broke the oath after he attacked Czecho-Slovakia.

A In my opinion, he never gave an oath in that connection.

Q At that time he swore before the German people, "I have no further territorial aims."

A I cannot give any answer to that question. I am a soldier and just because someone else is a scoundel does not mean that everyone else has to be one also.

Q When this scoundel is your superior, what is your attitude then ?

A That question I refuse to answer.

Q That is what I thought. Did you agree with everything that Hitler ordered as commander ?

A No.

Q With what things did you not agree for example ?

A On the whole I have expressed myself previously on that. I thought the Stahlingrad campaign a pure insanity and with the available forces we had it was an insanity. There are other examples.

Q But you are still of the opinion that you had to follow him anyway.

A Yes and as I said before it became very, very difficult.

Q You said before that the people concerned in the 20th of July inciden because they did not obey were criminals, is that correct ?

A I am afraid you misunderstood me somewhat. If there had been a possibility at that time to end the war, but there was not and an attack at that time would have caused chaos. The two armies in existence would not have been able to keep order in Germany or on any front.

Q According to your ideas, did the people involved have any idealistic motives?

A Evidently they had, as I know quite a number of them, nevertheless I consider it clear stupidity.

Q Were you sitting as judge over them and helped remove them from the German army ?

A The honor court to which I belong, although I was not on active duty anymore, had made the possibility of giving sentence over these people irrespective of who was sentenced or declared not guilty.

Q Could they remain in or enter the army ?



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A This sentence from the court had only two possibilities either for hard labor or the death penalty. We, as the judge, for military purposes had to insist on their removal from the army. If there was a possibility that a person was declared not guilty, then he would only be dismissed from the army and at the end of the trial, he could be reinstated.

CAPTAIN TUDRIDY : We will have a short recess.

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FOLLOWING RECESS.

BY MR. RAPP :

Q May I ask questions on the Polish corridor ? I would like to ask some questions about the historical background during the period from 1933. Yesterday in your testimony you were questioned on the Alsace-Lorraine situation. I would like to ask you about the situation at that time in the east. It is not a fact that the question of the Polish Corridor, Danzig and Silesia constitued a question of paramount importance ? During that meeting in August of 1933 in Upper Salsburg, did not the Fuehrer inform you that an action was contemplated against Poland. Did the Fuehrer inform you that an action was contemplated against Poland ? Did the Fuehrer inform you at that time he was still attempting to solve that question in a peaceful way ? Is that correct ?

A Yes, that is correct. We were still all hoping it would be another one of the compromizes that were made in 1938. If you relinquish the corridor-alright.

Q The aim that the Fuehrer had in mind was quite popular among the Generals. Is that correct ?

A That is correct, but I want to point out that this has no connection with the gaining of living space, it was not to gain additional territory, but to regain old German territory. I have been asked in that connection by my German counsel.

Q I have never touched on that question.

A I just wanted to avoid having my previous statement confused with the question of"Lebensraum."

Q One could therefore say that the regaining of former German Territory had become a question of honor for you.

A Yes, one could say that if necessary. I want to deny that for my purposes it was made a question that had to be solved by war.

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Q Why not ?

A Because I am of the opinion it could be solved in a peaceful way if sense was being used. In my opinion, the old gentleman and the municipal jayor of Poland, Mr. Beck, would have consented to such a policy.

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Q Another fact, which I would like to make clear before asking any further questions. Did the Fuehrer explain to you which things did not go acco rding to schedule?

A Yes, if by that you mean the operational precautions. In that case it is correct.

Q That is what I mean.

A Yes.

Q Did the Fuehrer tell you that Poland could be seized in a single operation?

A I think the Polish war could have been isolated. As far as I know the Fuehrer did not count on interference by the western powers because of a war-like conflict with Poland.

Q Then for the reason which we just stated the Polish campaign could be considered as a popular one with the Generals?

MR. LATERNSER: I object to that question because the witness is being asked for judgment or an opinion. I would like to have the questions limited to a statement of facts.

CAPTAIN TUBRIDY: Whether the Polish campaign was popular with the Generals seems to be a matter of fact and not of opinion.

A No campaign was popular with us and that goes for the Polish campaign also. After the campaign in the Sudetenland, which means the "flower" war, the German folk might have worked out a similar campaign against Poland.

Q Witness aside from the fact whether the war in general was popular or not, I would like to find out if the matters about which I am now asking you are facts. Through the taking over of power by National Socialism the Wehrmacht was able to be increased numerically, is that correct?

A Yes that is correct.

Q Through the National Socialists, the question of the Polish corridor and Danzig was put more and more in front of the eyes of the German people?

A Yes, that is correct.

Q Another fact I would like to have obtained. Hitler stated after the Czecho-Slovakian and Prague campaigns that he had no further territorial

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claims?

A Yes, that is a fact.

Q There are three facts, which have been discussed, (1) the military increase in the number of the Wehrmacht, (2) the increasing propaganda concerning the Polish corridor and Danzig territory and (3) the contradictory statements of Hitler. Now, what reason did you have to believe that the Polish question could be settled peacefully in spite of the aforefacts?

A On account of the Russian-German pact, which Hitler negotiated. We believed that there would be sufficient pressure exerted on Poland to permit us to solve that question peacefully rather than by means of war.

BY DR. KEMPNER:

Q Do you agree with me witness that the aggressive war against Russia was an attack?

A Expressed in military terms, it was a preventive war - that means to get ahead on an attack on one side.

Q Do you agree with me and consider the march in Czecho-Slovakia an attack?

A If you mean the one in 1939, I agree with you. It was rejected by many circles at that time as a breach of the Munich agreement.

Q Were you among those people about whom you are talking?

A I was not in service at that time and therefore could have a private opinion like any private citizen.

Q Was that your opinion at that time?

A Yes and it is still my opinion today.

Q Do you consider the march into Denmark and Norway also as an attack and an aggressive war?

MR. LATERNSER: I regret to interrupt again, however, the question of whether the march into Denmark and Norway was an aggressive war is an opinion. This is a judicial question and not a question concerning facts.

CAPTAIN TUBRIDY: The question of whether a march is an attack and aggressive warfare is a question for the military, is it not? And an expert in military affairs should be able to answer it.

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MR. LATERNSER: Yes as long as the question is purely on a military matter, but the question as it is asked is not a military question.

CAPTAIN TUBRIDY: The witness just answered the question that the campaign against Czecho-Slovakia was a military attack, and has testified that the Russian war was a"preventive"war

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MR. LATERNSER: Just because I did not make an objection to a previous question does not mean that I cannot object to the following question.

CAPTAIN TUBRIDY: The witness may answer.

A. If it is a fact, I am not sure. The march into Norway was a preventi war, but I am just a simple soldier and not a lawyer. My opinion may be wrong, but I am just a simple soldier.

Q. Was the entry into Belgium had already been violated by the British. This is just another question of preventive war. If we had not marched, the enemy would be in the Ruhr.

Q. Is it known to the witness that the SD and similar organizations under Himmler created incidents at the Polish corridor so that the time would come to take measures ?

A. I don't know anything about that.

Q. Yesterday, during the direct examination, you spoke about defensive measures which had already been taken during the years of 1933, 1934 and 1935. Is that correct ?

A. Before the recapture of the eastern territory no such measures could b undertaken. In the East there was the Heilsberger Triangle. In the Pomeranian position or in the Sector Oder-Warthe Bend and eastern frontier along Silesia, weak defensive positions against Polish attacks existed.

Q. You spoke about maneuvers on the German side against attacks that migh come from Denmark, Poland and Czechoslovakia, is that correct ?

A. Yes.

Q. You spoke about Denmark, Czechoslovakia and Poland in terms of enemy powers. How was that possible at that time ?

A. Everything that was lying around us, that is around Germany, was hosti against us with the possible exception of Switzerland. Even Austria could be considered as hostile to us. That we saw towards the end of the last war.

Q. During the last war neither Holland, Denmark or Switzerland were enemy powers. How could you explain that ?

A. I have not spoken about Holland or Denmark although Denmark had no fric dly attitude towards us. You are mistaken there. During the last war we los half of the province of Schleswig-Hosltein to Denmark.

H0963-0112

Q. Was Denmark an enemy of Germany during the last war, or was it neutral

A. Neutral, but unfriendly neutral, which in essence is the same.

Q. During the years of 1933, 1934 or 1935 did you actually fear an attack on the part of Denmark, Poland, Czechoslovakia or any of the other countries'

A. We always expected an attack on the part of Czechoslovakia for the regaining of Silesia. Aside from that all these maneuvers, movements and so on were meant for eventualities which could turn up at the turn of a hand.

Q. What do you base your opinion that such conditions might turn up at the turn of a hand ?

A. That is the threatening that we have experienced on the part of Poland the opinion of the entire world because we Germans had Hitler as our supreme commander. Aside from that it is my personal opinion. Whether it is correc or not I do not venture to say and I don't care whether it is or not.

Q. Did it prove ture that the world has attacked Germany or was it a mistake or an error ?

A. One side is just as guilty as the other.

Q. Yesterday you said in the direct examination through your defense counsel that you only heard through the radio about the regaining of the militar sovereignty.

A. That is correct. This proclamation of military sovereignty was preced by long discussions over many years starting with the Weimar Republic, backe by Stresemann, later on Blomberg, and so on. Hitler faced the world with th simple fact of that commission which had attempted for a long time to gain equality before the world.

Q. What did you know or hear about the secret rearmament prior to this proclamation of military sovereignty and to what extent did you participate'

A. I did not have to participate as commander-in-Chief but I certainly heard about the improvements of armament and perfection within the Wehrmacht Otherwise those things were kept extremely secret even as far as we military were concerned.

Q. How do you explain the fact that in spite of the secrecy of this armament, even towards you, thousands of people were recruited into the army

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although they were not part of the regular army?

A That must have been in an earlier period when the so-called Black Reichswehr existed that was under Seeck. When we created a short time traini progran that does not mean that we re-armed. We needed people for our forward fortifications but that still does not imply a rearmament progran. No additional infantry, artillery or cavalry regiments were created at that time.

Q Is it not a fact that during 1933 and 1935 you participated in inspections of so-called police regiments which in fact were nothing but just disguised future soldiers?

A No, I did not take part in any such inspections. If such regiments had existed those inspections would have been made by divisional commanders und whose jurisdiction they were to come.

Q Afterwards, that is after the proclamation of military sovereignty wa made, and ten thousands of soldiers existed all of a sudden - did you subsequen hear how that has been achieved?

A The entire training that took place at that time was very pitiful. could in no way be compared to what we had in 1914. If you give us a peasant boy, a uniform, and train him for one or two weeks, he is still by no means a soldier.

Q Now something else. Did you hear that on the 30th of June 1934, General Schleicher was assassinated - murdered?

A Yes.

Q By whom was General Schleicher murdered?

A The names of those people I do not know.

Q Was it known to you that Schleicher and the others had been murdered by order of Hitler and Company?

A No. I did not know that. I only know it took place in connection with the Roehm Putsch. I myself armed my orderly, my driver and my servant with ammunition, so as to be prepared for any eventual attack on my own person.

Q How could you serve a regime which threatened the life of even you, a general, and which dared to check on your own telephone conversations?

A First of all, during that time the old Field Marshal and Reichs President, Hindenburg, was still alive.

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Q Didn't you know that Hindenburg was an old man and had nothing to say at that particular time any more and that Hitler and Company were actually reigning?

A Hindenburg, who was over eighty already at that time, was still quite active. As far as the supervision of the telephone was concerned, that we all laughed about because it was just a matter of course with us. When it rang one just said, "Well, it's just another one of those pigs on the line. Out with him." Thirdly, I did not serve the regime or a certain man who was at the head but I served my Fatherland.

Q If the old Hindenburg was still as active as you say, why did you not go there and complain that your own life was being threatened.

A That was a precautionary measure and the old man probably would have laughed if I had come to him with such a complaint, aside from the fact that I was not afraid of such people.

Q You said just now that you were not afraid but earlier you said that if one wanted to resign from one's position not only one's person but also one's family would be threatened. How do you bring those two facts together?

A I hope that from what I have said nobody will make the accusation of cowardice to me, otherwise I would have to ask to protect me in that direction. Hitler had innumerable occasions where he could have shot me. I hope that will close this matter.

DR. KEMPNER: I have no more questions. Mr. Rapp has two or three additional questions.

BY MR. RAPP:

Q Witness, you were Commander-in-Chief of Group I in Berlin at the time when the Military Sovereignty was declared in Berlin?

A Yes.

Q I ask you, as an expert, was Berlin an important point in the defense of Germany?

A Berlin is the capitol of Germany and if Berlin should be lost the consequences in Germany are unthinkable.

Q Yet you, as Commander-in-Chief for the defense of Berlin, only heard about the military sovereignty by way of radio instead of through military

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channels?

A First of all I was not just responsible for the defense of Berlin but for the entire eastern frontier meaning from the Baltic to the Danube. Aside from that all these matters were kept so secret from everybody that to my mind it is quite understandable that I should only have heard about it in the last moment and through that channel. It did not make any difference to me, as commander, whether I heard about this military sovereignty six weeks earlier or later. To me it was a great deal more important if somebody said "Here, you have six divisions more." If upon the question "When can I expect them?" I would be told two years later, I would have said "Thank you, that is all I want to know."

Q I do not want to make a joke here witness, but was the fact that you have been made Commander-in-Chief of Group Command I also kept secret from yourself?

DR. LATERNSER: I object to the question. It has no sense.

CAPTAIN TUBRIDY: The question is unnecessary.

A I would be only too glad to answer that question. I was in that position from 1932 until I finally asked Hitler to release me from that job to go home. Before the announcement of that military sovereignty I, as Commander of Group I was not aware that there was also a Group Command III in Dresden and a Group Command IV in Leipzig.

Q I want to ask you one last question. To whom did you give your oath before Hitler - to the Weimar Republic or to Hindenburg personally?

A My first oath I gave to President Ebert which means, in other words, to the Weimar Republic of which he was the first president. After his death I gave my second oath to the Field Marshal and Reichs President, Hindenburg, and my third oath to Hitler in 1934 who, through the testament of Field Marshal Hindenburg became his successor. To go back much before that time, to be exact in 1892, I gave my first oath to the old Kaiser, when I became a soldier.

MR. RAPP: I have no further questions.

(The Commission adjourned until 20 June 1946 at 1000 hours.)

The foregoing is a true and correct transcript of the testimony of FIELD

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MARSHALL VON RUNDSTEDT, taken on 19 June 1946.

PIILANI A. AHUNA
Reporter

MABEL A. LESSER
Reporter

ROSE W. COOK
Reporter

ALICE MEEHAN
Reporter

CERTIFIED TO:

JOSEPH F. TUBRIDY
Commissioner